

# THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES 1934

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## Regulations

### TITLE 16—COMMERCIAL PRACTICES

#### Chapter I—Federal Trade Commission

[Docket No. 4848]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

KORET, INC.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.66 (a7) *Misbranding or mislabeling—Composition:* § 3.66 (d) *Misbranding or mislabeling—Nature:* § 3.69 (b), *Misrepresenting oneself and goods—Goods—Composition:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Nature.* In connection with the offering for sale, sale, and distribution of leather handbags in commerce (1) using the term "Korantelope" or any other term which includes the word "antelope" or any colorable simulation thereof, or using any other term of similar import or meaning on labels, in advertising, or in any other manner, to describe, designate, or refer to any leather product which is not composed of the skin of the antelope; (2) using any cut or depiction of an antelope as a trade-mark or label upon any leather product not composed of the skin of the antelope; (3) using any cut or pictorial design of an antelope in connection with any description of, or reference to, leather products not composed of the skin of the antelope; (4) using any cut or depiction of an antelope in conjunction with any coined name containing a contraction of the word "antelope" to designate, describe, or refer to leather products not composed of the skin of the antelope; or (5) representing in any manner that leather products made of calfskin are made from the skin of the antelope; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45b) [Cease and Desist Order, Koret, Inc., Docket 4848, November 30, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of November, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence in support of the complaint and

in opposition thereto taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Koret, Inc., a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of leather handbags in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the term "Korantelope" or any other term which includes the word "antelope" or any colorable simulation thereof, or using any other term of similar import or meaning on labels, in advertising, or in any other manner, to describe, designate, or refer to any leather product which is not composed of the skin of the antelope.

2. Using any cut or depiction of an antelope as a trade-mark or label upon any leather product not composed of the skin of the antelope.

3. Using any cut or pictorial design of an antelope in connection with any description of, or reference to, leather products not composed of the skin of the antelope.

4. Using any cut or depiction of an antelope in conjunction with any coined name containing a contraction of the word "antelope" to designate, describe, or refer to leather products not composed of the skin of the antelope.

5. Representing in any manner that leather products made of calfskin are made from the skin of the antelope.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-22599; Filed, Dec. 18, 1945;  
10:58 a. m.]

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Book 2: Titles 11-32.

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## TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency
PART 30—FRUIT BUTTERS; DEFINITION AND STANDARD OF IDENTITY

## LABEL STATEMENT OF OPTIONAL INGREDIENTS

An order promulgating the above regulation having been issued on August 31, 1940 (5 F.R. 3554-3564); and

It appearing that the last sentence of § 30.0 (d) contains an improper reference to optional ingredients (6) and (7) where optional ingredients (7) and (8) were intended; and

It appearing further that the improper reference is the result of clerical error;

Now therefore, it is ordered, That the last sentence of § 30.0 (d) be and it hereby is correct to read as follows: "If honey or corn sirup is a component of any combination used as optional saccharine ingredient (7) or (8), the weight of the solids of each component (other than honey) is not less than one-tenth of the weight of the solids of such combination."

[SEAL] MAURICE COLLINS,  
Acting Administrator.

DECEMBER 12, 1945.

[F. R. Doc. 45-22612; Filed, Dec. 18, 1945;  
11:36 a. m.]

## TITLE 30—MINERAL RESOURCES

## Chapter VI—Solid Fuels Administration for War

## PART 602—GENERAL ORDERS AND DIRECTIVES

## DIRECTION TO CERTAIN SHIPPERS OF COAL PRODUCED IN DISTRICT 8

The continued shortage of mine labor and losses of bituminous coal production during the last three months have seriously retarded scheduled shipments of coal to retail dealers located in the States of Georgia, North Carolina, South Carolina, Tennessee and Virginia. Shipments to this area must be accelerated if hardship and suffering are to be avoided. Accordingly, it is necessary, pursuant to

SFAW Regulation No. 1, as amended, to issue the following direction:

1. Every shipper of coal produced in District 8 (except in the Hazard subdistrict) who is obligated, pursuant to § 602.703 of SFAW Regulation No. 27, as amended, to ship coal to retail dealers located in the States of Georgia, North Carolina, South Carolina, Tennessee, and Virginia, shall, notwithstanding the schedules of shipments set forth in § 602.703 (d) of the regulation, as amended, make shipments as provided in paragraph 2, below.

2. During the month of December, each shipper shall ship, to the maximum extent practicable, to each such retail dealer not less than 33½ per cent of the balance of the tonnage which the shipper was obligated under the preference provisions of the regulation to ship, as of December 1, 1945, to the retail dealer during the period December 1, 1945, to March 31, 1946. To the maximum possible extent, such shipments shall be completed not later than midnight of Friday, December 21, 1945. The amount of such accelerated tonnage shall be deducted from the quotas which would normally be shipped to the retail dealers in the states enumerated above during the month of March 1946. Thus, shippers shall, for the balance of the fuel year, schedule their preference shipments to these dealers as follows:

December 1945—33½% of the balance due as of December 1, 1945.

January 1946—25% of the balance due as of December 1, 1945.

February 1946—25% of the balance due as of December 1, 1945.

March 1946—16½% of the balance due as of December 1, 1945.

This direction shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 14th day of December 1945.

DAN H. WHEELER,  
Deputy Solid Fuels  
Administrator for War.

[F. R. Doc. 45-22575; Filed, Dec. 18, 1945;  
10:47 a. m.]

## TITLE 32—NATIONAL DEFENSE

## Chapter VI—Selective Service System

## [Operations Order 64]

## MARYLAND

## ESTABLISHMENT OF BOARD OF APPEAL AREA

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, and in accordance with the recommendation of Colonel Henry C. Stanwood, State Director of Selective Service for the State of Maryland, I hereby order:

1. That the State Director of Selective Service for the State of Maryland is hereby authorized to disestablish the board of appeal areas for Boards of Appeal numbered 1, 2, 2A, 2B, 3, and 4 of the State of Maryland, and to establish one board of appeal area having more than 70,000 registrants as the result of the first registration, which board of appeal area shall be coextensive with the State of Maryland.

2. That the present members of Boards of Appeal numbered 1, 2, 2A, 2B, 3 and 4

for the State of Maryland are hereby transferred to the Board of Appeal for the State of Maryland, as shown on Exhibit A filed herewith.\*

LEWIS B. HERSHEY,  
Director.

DECEMBER 17, 1945.

[F. R. Doc. 45-22529; Filed, Dec. 17, 1945;  
12:02 p. m.]

## Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9539, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 1010—SUSPENSION ORDERS  
[Suspension Order S-907, Amdt. 1]

H. K. HUBBARD & CO.

H. K. Hubbard & Company, a partnership composed of Josephine Hubbard, Virginia Hubbard Schotters, and Thomas E. Hubbard, engaged in publishing The Daily Examiner and The Weekly Examiner, Bellefontaine, Ohio, was suspended on November 9, 1945, by Suspension Order No. S-907. It appealed from the provisions of the suspension order. It appeared that the notice to the respondent of the issuance of the suspension order was somewhat delayed. After consideration of the appeal, the Chief Compliance Commissioner has directed that the suspension order be amended.

In view of the foregoing it is hereby ordered, that § 1010.907, Suspension Order No. S-907, issued November 9, 1945 be, and it is hereby amended by the substitution of the following paragraph (a) for the present paragraph (a):

(a) Josephine Hubbard, Virginia Hubbard Schotters and Thomas E. Hubbard shall reduce their consumption of print paper for the fourth quarter of 1945 by 1¼ tons less, for each of the first three quarters of 1946 by 2½ tons less, and for the fourth quarter of 1946 by 1¼ tons less than the consumption quota of print paper they would otherwise be entitled to use during each of these periods under the provisions of Limitation Order L-240. Provided, That, if the partners can reduce their usage under their permitted consumption by ten tons in less than four calendar quarters, they are hereby permitted to do so and may use up to their permitted usage in any quarter after they have made up said ten (10) tons.

Issued this 17th day of December 1945.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-22544; Filed, Dec. 17, 1945;  
4:30 p. m.]

\* Filed as part of the original document.

## PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Revocation of Direction 3]

## PARTS FOR INTERNAL COMBUSTION ENGINES

General Scheduling Order M-293, Direction 3 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or any action taken by the War Production or the Civilian Production Administration under this direction.

Issued this 18th day of December 1945.

CIVILIAN PRODUCTION  
ADMINISTRATION,

By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-22604; Filed, Dec. 18, 1945;  
11:15 a. m.]

## Chapter XI—Office of Price Administration

## PART 1301—MACHINE TOOLS

[MPR 1, Incl. Amdts. 1-9]

## SECOND-HAND MACHINE TOOLS

This compilation of Maximum Price Regulation 1 includes Amendment 9, effective December 22, 1945. Changes made by Amendment 9 are indicated by underscoring or notes.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942 as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.<sup>2</sup>

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Preamble amended by Supplementary Order 70, 8 F.R. 12556, effective 9-11-43]

§ 1301.1 *Maximum prices for second-hand machine tools and extras.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation 1 (Second-Hand Machine Tools), which is annexed hereto and made a part hereof, is hereby issued.

Sec.

1. Commodities and transactions covered by this regulation.
2. Prohibitions.
3. Maximum prices for sales.
4. Sales by Defense Plant Corporation, the War Department, or the Department of the Navy.
5. Adjustable pricing in Navy Department Emergency Plant Facilities Contracts.

<sup>1</sup> 8 F.R. 10116.

<sup>2</sup> Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

Sec.

6. Maximum prices for rentals and leases.
7. Less than maximum prices.
8. Evasion.
9. Records.
10. Definitions.
11. Petitions for amendment.
12. Licensing.
13. Enforcement.

Appendix A.

AUTHORITY: § 1301.1 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487.

SECTION 1. *Commodities and transactions covered by this regulation.*—(a) *Transactions covered.* This regulation establishes maximum prices for all sales of second-hand machine tools and second-hand extras, and all rentals and leases of second-hand machine tools and second-hand extras by all persons, except leases of such machine tools and extras by Defense Plant Corporation under a contract of lease which provides that machinery and equipment will be brought within the scope of the lease after purchase by the Defense Plant Corporation or the lessee for the account of Defense Plant Corporation, but which contract of lease does not provide for specific rental prices allocable to specific machines or parts.

(b) *Definitions of second-hand machine tools and extras for the purposes of this regulation.* A "second-hand machine tool" means a power driven machine (except portable machine tools) that has been used for shaping metal by cutting, abrading, straightening, forcing, forging, or forming under pressure. Machines listed in Appendices A or B of Maximum Price Regulation 136<sup>3</sup>, as amended, are not included. The term "second-hand tool" includes second-hand standard equipment; i. e.; those second-hand accessories normally furnished with a new machine and normally included in its price when new.

A "second-hand extra" means any used attachment for a machine tool which is standard accessory equipment normally furnished by the manufacturer at additional cost to his price of the machine tool, any used attachment for a machine tool manufactured by a person other than the manufacturer of the machine tool to which it is attached, and all used attachments sold separately as replacement.

[Sec. 1 amended by Am. 4, 9 F.R. 4229, effective 4-25-44; and Am. 7, 9 F.R. 12209, effective 10-11-44]

[NOTE: Under the provisions of Revised Supplementary Order 44 (10 F.R. 11065) MPR 1, is adopted and affirmed to be applicable to the Territory of Hawaii.]

<sup>3</sup> Revised: 10 F.R. 3197, 5377, 6591, 7536, 7340, 7682, 9447, 9716, 10084, 10976, 10436.

SEC. 2. *Prohibitions.* (a) On and after July 26, 1943, regardless of any contract or other obligation:

(1) No person shall sell, offer or agree to sell, negotiate the sale of, transfer, or deliver, and no person shall buy, offer or agree to buy, or accept transfer or delivery of, any second-hand machine tool or extra at a price higher than the maximum price established by this regulation.

(2) No person shall lease or rent or offer or agree to lease or rent any second-hand machine tool or extra at a rental price higher than the maximum rental price established by this regulation, and no person shall pay or receive a rental price for any second-hand machine tool or extra higher than the maximum rental price established by this regulation. However, nothing in this regulation shall require the reduction of the rental price specified in any lease or rental of second-hand machine tools or extras entered into before the effective date of this regulation at or below prices established by Maximum Price Regulation No. 136, as amended.

SEC. 3. *Maximum prices for sales.*—(a) *Method of calculation.* Maximum prices for second-hand machine tools and second-hand extras f. o. b. wherever located shall be the percentages set forth below of the March 1, 1941, price of the nearest equivalent new machine tool or extra having a price in effect on that date; except that prices arrived at by this computation may be adjusted upward to the nearest dollar. Attachments which are standard equipment normally furnished by the manufacturer at no additional cost above the price of the machine tool shall be considered part of the machine tool for the purpose of determining maximum prices and all such attachments must be included in order for the machine tool to be considered as rebuilt and guaranteed. Any attachments sold separately as replacements or in addition to equipment normally furnished at no additional cost, or manufactured by a person other than the manufacturer of the machine tool to which it is to be attached, shall be considered as extras. If an extra is sold separately, its age classification is determined by the date of its manufacture. If an extra is sold with a second-hand machine tool, the age classification of the extra is determined by the date of the manufacture of the machine tool with which it is sold. Where the seller can demonstrate that a second-hand machine tool or extra was purchased new after March 1, 1941, the price at which the machine tool or extra was purchased new may be substituted for the March 1, 1941, price of that machine tool or extra.

[Paragraph (a) amended by Am. 4, 9 F.R. 4229, effective 4-25-44]

## CLASSIFICATION—AGE AND CONDITION

	1	2	3	4	5
Calendar year of manufacture preceding present calendar year.....	0-4th year	5th-9th year	10th-14th year	15th-19th year	20th year and over
Rebuilt and guaranteed.....	Percent 85	Percent 90	Percent 95	Percent 70	Percent 40
Other condition.....	70	65	65	45	35

**NOTE:** In computing the age of machine tools, apply the calendar year in which the machine tool was built. For example, if the present year is 1945, a machine tool built in 1941 was built in the 4th calendar year preceding the present and falls in class 1. If it was built at any time in 1936, count the full calendar years including 1936 preceding 1945. Having been built in the 9th calendar year preceding the present, it will fall in class 2.

[Table amended and note added by Am. 9, effective 12-22-45]

(b) *Determination of date of manufacture.* The date of manufacture can be determined from the serial number stamped on the machine by the manufacturer. Where the manufacturer's serial number and year of manufacture are not known to the seller or lessor the machine tool shall, for all purposes under this regulation, be deemed to have been manufactured prior to January 1, 1920. In all cases where the serial number is not known, and the seller or lessor contends that the machine tool was manufactured after January 1, 1920, all of the evidence upon which such contention is based must be submitted with the first report on such machine tool required by this regulation.

(c) *Meaning of the term "rebuilt and guaranteed".* A rebuilt machine tool is one in which worn or missing parts have been replaced or reworked, and which has been tested under power so as to prove that it has a substantially equivalent performance to that of the machine when new. The term "rebuilt and guaranteed" applies only to a machine tool which (1) has been rebuilt or is in equivalent condition to a rebuilt machine tool and is invoiced as such; (2) has been inspected, and tested under power so as to prove that it has a substantially equivalent performance to that of the machine when new; (3) carries a binding written guaranty of satisfactory performance for a period of not less than thirty days from date of shipment; and (4) is expressly invoiced as a rebuilt machine tool or its equivalent and as having been guaranteed for satisfactory operation for thirty days. In the event of either a sale by a government agency, or a sale for the benefit of creditors where a government agency is the largest creditor, a written certificate may be substituted for the warranty, the invoicing and the guaranty of satisfactory operation. The certificate must be signed by a qualified person who is not in the business of selling second-hand machine tools and who is approved by the purchaser. This certificate must state that such person has inspected the second-hand machine tool, that all worn or missing parts have been replaced or reworked, and that the second-hand machine tool has been tested under power so as to prove that it has a substantially equivalent performance to that of the machine when new.

[Paragraph (c) amended by Am. 2, 9 F.R. 2135, effective 2-23-44]

(d) *Determination of the nearest equivalent new machine tool and its March 1, 1941, price.* (1) Where for any second-hand machine tool an equivalent machine tool is named in

"Prices of New Machine Tools as of March 1, 1941, Revised", set forth in Appendix A, that machine tool shall be considered the nearest equivalent new machine tool for all purposes under this regulation.

(2) Where for any machine tool a specific base price or a method of computing a specific base price is established in "Prices of New Machine Tools as of March 1, 1941, Revised", set forth in Appendix A, such base prices are to be deemed the March 1, 1941, price of the nearest equivalent new machine tool for all purposes under this regulation.

(3) Where a second-hand machine tool was first manufactured after March 1, 1941, and where a machine tool of new design is used as an equivalent and such machine tool was first manufactured after March 1, 1941, and did not have a price in effect on that date, the price of the first such machine tool manufactured shall be deemed to be the March 1, 1941, price of such machine tool for all purposes under this regulation.

(4) All prices stated in "Prices of New Machine Tools as of March 1, 1941, Revised", set forth in Appendix A are to be deemed prices in effect on March 1, 1941, for the machine tools, attachments, and extras opposite which they are set for all purposes under this regulation. All other data set forth in Appendix A is to be deemed correct for all purposes under this regulation.

(5) Where a geared head machine tool is used as an equivalent to a second-hand machine tool which is not a geared head machine tool, as defined in this regulation, the price of the equivalent new machine tool is determined by deducting 20% from the March 1, 1941, price of the new geared head machine tool.

(e) *Maximum prices for sales of part ownership of second-hand machine tools and extras.* The maximum price for a part ownership in a second-hand machine tool or second-hand extra shall be determined by multiplying the maximum price of the machine tool or extra by the percentage of the seller's ownership.

(f) *Dismantling and loading charges.* Maximum prices established by this regulation are for machine tools and extras f. o. b. wherever located. In the event the buyer elects to dismantle and load such machine tool, then the selling price plus the cost of dismantling and loading, not in excess of any maximum price established for such service, shall not exceed the maximum price established by this regulation.

(g) *Special packing charges.* If the buyer has required packing to his specifications, and such specifications involve an increase in cost over the cost of the packing normally furnished at no increase in price, the difference between the cost of the direct labor and materials used in such packing, and the cost of direct labor and materials used in standard packing may be added to the maximum price if billed or invoiced separately.

(h) *Financing charges.* Maximum prices established by this regulation shall not be increased by any charges for the extension of credit or any financ-

ing charge, unless (1) the seller during March 1941 required payment of an additional charge for the extension of credit to purchasers of the same class, and (2) the amount charged for financing the sale is separately stated and billed and is not in excess of the charge the seller had in effect during March 1941 for extension of credit involving the same amount and term.

(i) *Federal and State Taxes.* Any tax levied upon the sale of a second-hand machine tool or extra by any statute of the United States or statute or ordinance of any state or political subdivision thereof which does not prohibit payment of such tax by the purchaser may be collected by the seller in addition to the maximum price if such tax is stated and invoiced separately from the purchase price.

**Sec. 4. Sales by Defense Plant Corporation, the War Department, or the Department of the Navy.** This section is applicable to the sale by the Defense Plant Corporation, the War Department and the Department of the Navy of any second-hand machine tool or extra which was acquired by the agency in question for the purpose of rental. Notwithstanding any other provisions of this regulation, the maximum price for such a sale shall be the price determined in accordance with section 3 or the price determined as provided in paragraphs (a) and (b) below, whichever is the higher.

[Above paragraph amended by Am. 3, 9 F.R. 3075, effective 3-27-44]

(a) *Where the purchaser is the first lessee of the machine tool or extra under an agreement with the Defense Plant Corporation, the War Department, or the Department of the Navy.* The maximum price shall be computed by adding the sum of the following:

(1) The cost of the machine tool or extra to the Defense Plant Corporation, the War Department, or the Department of the Navy, f. o. b. the plant of the manufacturer of the machine tool or extra;

(2) The freight paid by the Defense Plant Corporation, the War Department, or the Department of the Navy from the plant of the manufacturer of the machine tool or extra to the plant of the purchaser;

(3) The cost to the Defense Plant Corporation, the War Department, or the Department of the Navy of unloading the machine tool or extra at the plant of the purchaser;

(4) The cost to the Defense Plant Corporation, the War Department, or the Department of the Navy of the installation of the machine tool or extra in the plant of the purchaser;

(5) Interest on items in paragraphs (1) to (4), inclusive, at the rate actually charged the purchaser under the agreement of lease between the Defense Plant Corporation, the War Department, or the Department of the Navy and the purchaser, or if no interest rate was specified in such agreement the average rate charged by the Defense Plant Corporation, the War Department, or the Department of the Navy to other lessees of comparable machine tools and extras, such interest to be computed from the date that each of such items was paid by



the Defense Plant Corporation, the War Department, or the Department of the Navy to the date of sale.

(6) Direct expenses actually incurred by Defense Plant Corporation, the War Department, or the Department of the Navy and normally charged the purchaser under the agreement of lease between Defense Plant Corporation, the War Department, or the Department of the Navy and the purchaser; or, if no provision for direct expense is specified in such agreement, direct expenses actually incurred by Defense Plant Corporation, the War Department, or the Department of the Navy and normally charged by Defense Plant Corporation, the War Department, or the Department of the Navy to other lessees of comparable machine tools and extras.

From the sum of items in subparagraphs (1) and (5), inclusive, deduct depreciation of the original total cost of acquisition by Defense Plant Corporation, the War Department, or the Department of the Navy at the rate of eight per cent (8%) per annum from the date of initial use after acquisition by Defense Plant Corporation, the War Department, or the Department of the Navy of such machine tool or extra to the date of sale, except that in the event of sale within ninety (90) days after such initial use no depreciation shall be deducted.

(b) *Where the purchaser is a person other than the first lessee of the machine tool or extra.* The maximum price delivered to the plant of the purchaser shall be computed by adding the sum of the following:

(1) The cost of the machine tool or extra to the Defense Plant Corporation, the War Department, or the Department of the Navy, f. o. b. the plant of the manufacturer of the machine tool or extra;

(2) An allowance equal to the freight charge for the transportation of such machine tool or extra from the location of the machine tool or extra at the time of sale by Defense Plant Corporation, the War Department, or the Department of the Navy to the plant of the purchaser. From the sum of subparagraphs (1) and (2), deduct depreciation on the original total cost of acquisition by Defense Plant Corporation, the War Department, or the Department of the Navy at the rate of eight per cent (8%) per annum from the date of initial use after acquisition by Defense Plant Corporation, the War Department, or the Department of the Navy of such machine tool or extra to the date of sale, except that in the event of sale within ninety (90) days after such initial use no depreciation shall be deducted.

[Sec. 4 amended by Am. 1, 8 F.R. 13104, effective 9-30-43]

**SEC. 5. Adjustable pricing in Navy Department Emergency Plant Facilities Contracts.** Nothing in this regulation shall be construed to prevent the inclusion in any Navy Department Emergency Plant Facilities Contract of a provision for the sale of a second-hand machine tool or extra at a price not to exceed the maximum price at the time of delivery.

**SEC. 6. Maximum prices for rentals and leases—(a) Price.** The maximum price for the lease or rental of any second-

hand machine tool, attachment or extra shall be determined as follows:

[Above sentence amended by Am. 5, 9 F.R. 5723, effective 5-31-44]

(1) *Annual rental.* The maximum annual rental shall be determined by multiplying the maximum price established by this regulation, as of the date of the rental contract, for the sale of the second-hand machine tool, attachment or extra by the applicable percentage rate set forth below:

	8-hour day	16-hour day	24-hour day
General use.....	Percent 25	Percent 30	Percent 35
Outdoor use of tools designed for indoor use.....	35	45	55

(2) *Monthly, weekly and daily rental.* The maximum rental shall be the amount determined by multiplying the maximum annual rental by the applicable factor set forth below:

Period of time:	Factor
Month.....	0.10
Week.....	.025
Day or fractional part thereof.....	.005

However, where the machine tool or attachment is rented for a specific period of time which results in a maximum total rental of less than \$5.00, the maximum total rental for that period of time shall be \$5.00.

(b) *Rates most favorable to the lessee.* Notwithstanding the provisions of paragraph (a) of this section, the maximum price for any lease or rental shall be computed on the basis of that period of time which will yield the lowest total rental. For example, if the machine tool is rented on a daily basis but the maximum rental figured on a weekly basis is lower than the maximum rental computed on any other basis, the maximum rental must be computed on a weekly basis.

(c) *Additional charges.* Charges for installation, dismantling, loading, transportation, maintenance and power supplied by the lessor may be made in addition to the maximum rental but must be invoiced separately. Such charges must not exceed any maximum price established therefor.

(d) *Reports of leases.* Any person who leases or rents out a second-hand machine tool, or disposes of it otherwise than by sale, shall file a separate report giving the following details about the leasing contract:

(1) Complete description of machine, giving type, size, or model number and serial number. Items claimed as extras should be similarly described, and name of manufacturer given.

(2) Condition of machine ("rebuilt and guaranteed" or "other").

(3) Number of hours per day machine will operate under the contract, and whether it will be used inside, or for outdoor work.

(4) Proposed length of rental period.

[Paragraph (d) added by Am. 9, effective 12-22-45]

[Sec. 6 amended by Am. 4, 9 F.R. 4229, effective 4-25-44]

**SEC. 7. Less than maximum prices.** Selling or rental prices less than those set forth herein may be charged, demanded, paid, or offered.

**SEC. 8. Evasion.** The price limitations set forth in this regulation shall not be evaded by additional or extra charges for repairs or reconditioning, commissions, or otherwise, or by a sale, lease, or rental of any second-hand machine tool or extra jointly with an article not subject to price control, or by requiring any purchaser or lessee of second-hand machine tools to permit the seller or lessor to recondition or rebuild the machine tool, or by making any charge to the purchaser for inbound freight to the seller's place of business, or by invoicing or billing, or in any way representing that a machine tool is the equivalent of a rebuilt and guaranteed machine tool without actually having complied with the requirements of Sec. 3, or otherwise. It shall be a violation of this regulation for any person to pay a fee, commission, or other compensation for the finding or locating of, or for the services of anyone acting as a broker or dealer concerning a machine tool or extra if the total of any such charge and the selling or rental price charged that person for the machine tool exceeds the maximum price established by this regulation for the sale, lease, or rental of the machine tool.

**SEC. 9. Records.** Records of each transaction involving the purchase, sale, lease, rental or other disposition of a second-hand machine tool or extra shall be preserved by all persons subject to this regulation. Such records shall include the following information: make, type, size, age and condition of purchase or sale, manufacturer's serial number and type of drive. A copy of each report required to be made by this regulation shall be preserved as a record by the person making the report. Separate records of inventories of attachments and extras not listed in said reports shall be preserved.

[Sec. 9 amended by Am. 4, 9 F.R. 4229, effective 4-25-44; Am. 6, 9 F.R. 12021, effective 10-2-44; Am. 8, 10 F.R. 4140, effective 4-23-45 and Am. 9, effective 12-22-45]

**SEC. 10. Definitions.** When used in this regulation, the term:

"Dealer" means any person engaged in the business of buying and selling second-hand machine tools as a principal or in the business of buying or selling such tools as agent, auctioneer, or broker.

A "geared head" machine means a machine in which the variations of the spindle speeds are selectively obtained through a series of gears operated by levers integral with the machine. The term "other than geared head" machine includes all machines in which variations of spindle speeds are obtained by the shifting of a belt running between stepped cone pulleys or with a belt running between single pulleys or equipped with any motor drive that is not integral with the machine.

"Government agency" includes the War Department, the Department of the

Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, and the following subsidiaries of the Reconstruction Finance Corporation: Rubber Reserve Corporation, Metals Reserve Corporation, Defense Plant Corporation, and Defense Supplies Corporation.

"Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

"Portable machine tool" means a power driven machine designed to be taken to the material on which it is to be used and which in normal use is held or guided by hand in its operation, as distinguished from a stationed tool to which material is brought for processing.

[Above definition amended by Am. 4, 9 F.R. 4229, effective 4-25-44; and Am. 7, 9 F.R. 12209, effective 10-11-44]

"Stock" referring to second-hand machine tools, includes tools which are owned by the person in question, or on which he has obtained an option, or for which he has secured a selling agency.

"User" means any purchaser of a second-hand machine tool or extra, other than a dealer, broker, agent, or auctioneer in or for new machine tools.

"Worn part" means a part in such a condition that unless it is replaced or reworked the machine tool will not have a substantially equivalent performance to that of the machine when new.

SEC. 11. *Petitions for amendment.* Any person seeking modifications of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 12. *Licensing.* The provisions of Licensing Order No. 1,<sup>5</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 12 amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 13. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

[Appendix A is published separately]

Note: All reporting and record-keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

*Effective date.* This regulation shall become effective July 26, 1943. [Maximum Price Regulation 1 originally issued this 20th day of July 1943].

[Effective dates of amendments are shown in notes following parts affected.]

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

16 F. R. Doc. 45-22545; Filed, Dec. 17, 1945;  
4:48 p. m.]

#### PART 1381—SOFTWOOD LUMBER

[RMPR 161, Amdt. 22]

##### WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 161 is amended in the following respects:

1. Section 1381.152 is amended to read as follows:

§ 1381.152 *What logs are covered.* This regulation covers under the name of "West Coast logs," all logs produced in those parts of Oregon, Washington, and Canada, west of the crest of the Cascade Mountains and in Skamania and Klickitat counties in Washington and Hood River and Wasco counties in Oregon.

Logs produced in Canada are covered by this regulation when sold in the United States.

2. Section 1381.153 (a) (1) is amended to read as follows:

§ 1381.153 *Explanation of maximum price tables—(a) Prices are delivered to towable waters.* (1) Except in the southern Oregon-Tillamook District, the full maximum prices in the price table may be charged and paid only when the logs are delivered to towable waters, dumped, boomed, rafted, and prepared for towing at the seller's expense.

If any of these services is not performed at the seller's expense, its cost must be deducted from the maximum prices. "Towable Waters" means any year-round towable waters along the coast of Oregon, the Skagit River, Puget Sound, Willapa Bay, Grays Harbor, Columbia River, and Willamette River. Specifically, the Willamette River shall be considered as towable water from its mouth to a point one mile south of Albany, Oregon; the Skagit River from its mouth to Lyman's Ferry; and the Columbia River from its mouth to Hood River, Oregon.

In calculating the deductions for non-delivery to towable waters or for other services as provided below in cases where logs are scaled on the Sorenson Cubic Foot Scale, the seller must determine the deduction that would have been made were the logs sold on log scale count and the dollar-and-cents amount of deduction applied to the invoice total.

3. Section 1381.154 is amended to read as follows:

§ 1381.154 *Tables of maximum prices—(a) Tables of maximum prices on*

*log scale count; Spaulding or revised Scribner decimal C scale.* The maximum delivered prices per 1,000 feet log scale for West Coast logs shall be as follows:

TABLE (A) DOUGLAS FIR, PER THOUSAND FEET LOG SCALE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
No. 1 peeler.....	\$41.50	\$41.50	\$41.50	\$39.50
No. 2 peeler.....	36.50	36.50	36.50	34.50
No. 3 peeler.....	28.50	28.50	28.50	26.50
No. 1 sawmill log.....	32.50	30.50	30.50	28.50
No. 2 sawmill log, old growth.....	24.50	24.50	24.50	22.50
No. 2 sawmill log, second growth.....	23.50	23.50	23.50	21.50
No. 3 sawmill log, old growth.....	21.50	21.50	21.50	19.50
Camp-run (ungraded) and No. 3 second growth sawmill.....	19.50	19.50	19.50	17.50

TABLE (B) WESTERN RED CEDAR, PER THOUSAND FEET LOG SCALE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district
Lumber grade.....	\$37.50	\$34.50	\$34.50	\$32.50
Shingle grade.....	27.50	27.50	27.50	25.50
Camp-run (ungraded).....	22.50	22.50	22.50	20.50

TABLE (C) WESTERN HEMLOCK, PER THOUSAND FEET LOG SCALE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
Suitable for peeling and better.....	\$28.50	\$28.50	\$28.50	\$26.50
No. 1.....	24.50	24.50	24.50	22.50
No. 2.....	23.50	23.50	23.50	21.50
No. 3.....	21.50	21.50	21.50	19.50
Camp-run (ungraded).....	21.50	21.50	21.50	19.50

TABLE (D) WESTERN WHITE FIR, PER THOUSAND FEET LOG SCALE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
Suitable for peeling.....	\$23.50	\$27.50	\$27.50	\$25.50
No. 1.....	24.50	23.50	23.50	21.50
No. 2.....	23.50	23.50	23.50	21.50
No. 3.....	21.50	21.50	21.50	19.50
Camp-run (ungraded).....	21.50	21.50	21.50	19.50

TABLE (E) SITKA SPRUCE, PER THOUSAND FEET LOG SCALE

	\$45.00	\$45.00	\$45.00	\$43.00
Select.....	31.50	31.50	31.50	29.50
No. 1.....	25.50	25.50	25.50	23.50
No. 2.....	21.50	21.50	21.50	19.50
Camp-run (ungraded).....	21.50	21.50	21.50	19.50

TABLE (F) NOBLE FIR, PER THOUSAND FEET LOG SCALE

	\$45.00	\$45.00	\$45.00	\$43.00
Aircraft grade.....	35.50	35.50	35.50	34.50
Suitable for peeling.....	21.50	24.50	24.50	22.50
No. 1.....	23.00	23.00	23.00	21.00
No. 2.....	21.50	21.50	21.50	19.50
Camp-run (ungraded).....	21.50	21.50	21.50	19.50

<sup>4</sup> 9 F.R. 10476, 13715; 10 F.R. 11295.

<sup>5</sup> 8 F.R. 13240.

<sup>6</sup> 10 F.R. 924, 2973, 5712.

TABLE (G) DOUGLAS FIR SPECIAL SHIP SPAR LOGS, PER THOUSAND FEET LOG SCALE

Specially selected for ship spars, booms, and masts and of following lengths	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district
42 to 54 feet.....	\$31.50	\$31.50	\$31.50	\$29.50
56 to 70 feet.....	41.50	41.50	41.50	39.50
72 to 80 feet.....	44.00	44.00	44.00	42.00
82 to 90 feet.....	46.50	46.50	46.50	44.50
92 to 100 feet.....	51.50	51.50	51.50	49.50
102 to 116 feet.....	56.50	56.50	56.50	54.50
Over 116 feet.....	76.50	76.50	76.50	74.50

TABLE (H) WOOD LOGS, PER THOUSAND FEET LOG SCALE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook district
No. 1 Douglas fir wood logs.....	\$17.50	\$17.50	\$17.50	\$15.50
Wood logs—No. 2 fir and all other species except cedar.....	11.00	11.00	11.00	9.00

TABLE (J) WESTERN WHITE PINE, PER THOUSAND FEET LOG SCALE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district
No. 1.....	\$35.50	\$35.50	\$35.50	\$33.50
No. 2.....	26.50	26.50	26.50	24.50
No. 3.....	20.50	20.50	20.50	18.50
Camp-run.....	20.50	20.50	20.50	18.50

TABLE (K) PONDEROSA PINE, PER THOUSAND FEET LOG SCALE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district
No. 1.....	\$28.50	\$28.50	\$28.50	\$26.50
No. 2.....	22.50	22.50	22.50	20.50
No. 3.....	20.50	20.50	20.50	18.50
Camp-run (ungraded).....	20.50	20.50	20.50	18.50

<sup>1</sup> These prices apply in the entire district except in Jackson and Josephine Counties.

(b) Table of maximum prices on Sorenson cubic foot scale count. The maximum delivered prices per cubic foot for West Coast logs shall be as follows:

TABLE (L) ALL SPECIES, PER CUBIC FOOT, SORENSON SCALE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook district
All logs of a camp-run or No. 3 and better quality which are 13" or less in top diameter and longer than 10 feet.....	\$0.125	\$0.125	\$0.125	\$0.125

4) Section 1381.157 is revoked.

5. Section 1381.160 (a) is amended to read as follows:

§ 1381.160 *Records*—(a) All sellers and buyers. All sellers of West Coast logs must keep all scaling certificates or statements, and invoices which will show a complete description of the logs sold, the name and address of the buyer, the date of sale, and the price. Buyers must keep similar records, including the seller's name and address. These records must be kept for any month in which the seller or buyer sold or bought 100,000 feet log scale, or more, or the equivalent in cubic foot scale of West Coast logs. They must be kept for two years, for inspection by the Office of Price Administration.

6. Under Appendix (a) *General rules—Other logs*: The first paragraph is amended to read as follows:

*Log diameters.* Log diameters shall be measured inside the bark at the small end of the log with the scale stick held in the vertical position except in cases in which damage to the log or knots, burls, depressions, etc., prevent taking a correct diameter measurement. In the latter cases, the diameter is to be taken in as nearly a vertical position as possible. The actual scale shall be in accordance with either the Spaulding Log Rule or the Revised Scribner Decimal O Log Rule, or in the case of logs sold under § 1381.154 (b), the Sorenson Cubic Foot Log Rule.

This amendment shall become effective December 22, 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22546; Filed, Dec. 17, 1945; 4:49 p. m.]

#### PART 1381—SOFTWOOD LUMBER

[RMPR 164, Amdt. 1]

##### RED CEDAR SHINGLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 164 is amended in the following respects:

1. In section 3:

a. Paragraph (e) is deleted.

b. Paragraphs (f), (g) and (h) are redesignated (e), (f) and (g).

c. Paragraph (e) as redesignated is amended to read:

(e) "Jobber" means any seller at wholesale and/or retail, other than a "mill" or a "distribution yard" as defined in Second RMPR 215, who continuously since March 1942 has maintained a stock of Western softwood shingles and other building materials and has been engaged in selling less-than-carload quantities of Western softwood shingles from stock to distribution yards, other retail outlets or consumers.

Any person who qualifies as a jobber under this definition, except that he has not been operating as a jobber continuously since March 1942, may apply to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., for authority to sell as a jobber, and may be so authorized upon submission of proof (1) that his operation is, or will be, responsive to an actual need in his community for this type of operation; and (2) that he has no financial interest in any shingle mill and that no shingle mill has any financial interest in his business as a jobber; and that his jobber's operation is entirely independent of any operation which manufactures shingles.

2. In section 4, paragraph (a):

A new rule 6 is added to read as follows:

6. Western softwood handsplit shakes, double split or resawn, shall be graded as follows: All shakes strictly clear, no sap, rot or other defects. Random widths, averaging three shakes to 20". None narrower than 4", or wider than 12" except on special orders. All "Taper-Split" or "Double-Hand-Split" shakes 100% vertical grain, up to 4% off grade allowed. Butts need not be at right angles to sides and sides may vary slightly from parallel. Variation in thickness is permissible in the individual shake and between one shake and another in the same bundle within the specified limitations for each pack. Color of wood is not a defect. Packed in regulation shingle frames 20" wide. Courses to contain 18½" of wood if green or 18" of wood if kiln dried. Band irons double nailed at each end.

The price table is amended to read as follows:

#### MAXIMUM PRICES F. O. B. OAR OR F. O. B. TRUCK AT MILL

Length and thickness	Width	Grade				
		No. 1	No. 2	No. 3	Nos. 3 and 4, 10% No. 3	No. 4
16" 5/2 [xxxx]	Random	\$4.55	\$3.70	\$2.65	\$2.20	\$1.05
	5"	5.30	4.45	3.40	xxx	xxx
	6"	5.40	4.55	3.60	xxx	xxx
18" 5/2 1/4 [Perfections]	Random	4.95	3.85	2.80	xxx	xxx
	5" or 6"	5.70	4.65	3.65	xxx	xxx
18" 5/2 [Eurekas]	Random	4.75	3.75	2.70	xxx	xxx
24" 4/2 [Royals]	do	6.05	4.20	2.85	xxx	xxx

<sup>1</sup> Price applies only when No. 4 are graded in accordance with the rule adopted by the Red Cedar Shingle Bureau published in bulletin dated December 20, 1944.

Machine processed shakes—5/24-18"—No. 1 (shingle grade) per square 14" exposure..... \$3.05

Hip and ridge units—6 1/2"-7" or 8" widths—per bundle of 40 units 16" No. 1 grade..... 1.25



## HAND SPLIT SHAKES F. O. R. CAR OR TRUCK AT PLACE OF MANUFACTURE OR AT ORIGINAL POINT OF CONCENTRATION FOR RESALE

Length and thickness	Pack and exposure (per square)	Per bundle	Linear inches in width per bundle	Price per 100 linear inches in width
18"-36" average.....	4 bundles, 12 1/2 courses, 8 1/2" exposure.....	\$1.55	444	\$0.35
20"-34" average.....	4 bundles, 10 1/2 courses, 10" exposure.....	1.85	370	.50
21"-34" average.....	6 bundles, 8 1/2 courses, 10" exposure.....	2.22	280	.70
Hand split and resawed:				
18"-36" 3/4 to 3 1/2".....	4 bundles, 12 1/2 courses, 8 1/2" exposure.....	1.77	444	.40
20"-34" 3/4 to 3 1/2".....	4 bundles, 10 1/2 courses, 10" exposure.....	1.85	370	.50
21"-34" 3/4 to 3 1/2".....	6 bundles, 8 1/2 courses, 10" exposure.....	1.92	370	.52
22"-34" 3/4 to 3 1/2".....	6 bundles, 8 1/2 courses, 10" exposure.....	2.02	208	.65
23"-34" 3/4 to 3 1/2".....	6 bundles, 6 7/8 courses, 10" exposure.....	2.28	210	.65
Hand split and resawed:				
18"-36" 3/4 to 3 1/2".....	4 bundles, 12 1/2 courses, 8 1/2" exposure.....	1.10	333	.35
20"-34" 3/4 to 3 1/2".....	4 bundles, 10 1/2 courses, 10" exposure.....	1.60	333	.50

3. In section 4, paragraph (b) is amended to read as follows:

(b) Jobbers' sales: (1) The jobber's maximum price f. o. b. his yard on less-than-carload sales of Western softwood shingles or other distributors for resale is (1) the price set out in paragraph (a), or approved under this regulation, plus (2) transportation additions figured on the Seattle, Washington, carload railroad freight rate to jobber's yard, at estimated weights given in, or approved under, this regulation, plus (3) a markup of 10 percent on the total of (1) and (2).

(2) The jobber's maximum prices on less-than-carload sales to consumers shall be the prices established in 2d Revised Maximum Price Regulation 215 for retail type sales by distribution yards of shingles for the zone in which the jobber is located.

(3) Sales for shipment direct from the mill to the jobber's customer, or sales by a jobber in carload quantities, must be made at no higher than the maximum prices in paragraph (a) of this section plus an addition for transportation computed in accordance with section 5 (a).

4. In section 5, *Delivered sales*, paragraph (a) (1) is amended to read as follows:

(a) *Standard shingle*—(1) *Rail shipment*. A delivered price in excess of the maximum f. o. b. car or f. o. b. truck prices set forth in section 4 may be charged consisting of such maximum prices plus a transportation addition computed on the estimated weights set forth below, and the railroad carload freight rate from actual shipping point to destination. (The f. o. b. car or

truck price and the amount added for transportation must be set forth as separate charges on the invoice.)

ESTIMATED WEIGHTS—ALL SPECIES—GREEN OR DRY

Size of shingles	Pounds
16"-32".....	144
18"-32".....	144
20"-32".....	144
22"-32".....	102
Hand split shingles:	
18"-32".....	45
20"-32".....	45
22"-32".....	45
24"-32".....	45
26"-32".....	45
28"-32".....	45
30"-32".....	45
32"-32".....	45
34"-32".....	45
36"-32".....	45
38"-32".....	45
40"-32".....	45
42"-32".....	45
44"-32".....	45
46"-32".....	45
48"-32".....	45
50"-32".....	45
52"-32".....	45
54"-32".....	45
56"-32".....	45
58"-32".....	45
60"-32".....	45
62"-32".....	45
64"-32".....	45
66"-32".....	45
68"-32".....	45
70"-32".....	45
72"-32".....	45
74"-32".....	45
76"-32".....	45
78"-32".....	45
80"-32".....	45
82"-32".....	45
84"-32".....	45
86"-32".....	45
88"-32".....	45
90"-32".....	45
92"-32".....	45
94"-32".....	45
96"-32".....	45
98"-32".....	45
100"-32".....	45

1 Delivered prices on redwood or other Western softwood shingles or shingles produced in California to destinations in the State of California shall be computed in the following manner: (a) To all points reached by a published railroad freight rate for redwood lumber from Eugene, California, based upon board measure, freight shall be computed, per square, at 1/4 of the freight rate per M. B. M. on redwood lumber. (b) To points to which there is no published freight rate on redwood lumber per M. B. M., the freight on redwood or other Western softwood shingles or shingles shall be computed upon the Seattle, Washington, rate of freight on red cedar shingles and the weights set forth in section 5 (a) (3).

This amendment shall become effective December 22, 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-29547; Filed, Dec. 17, 1945; 4:40 p. m.]

## PART 1374—FURS

[MPR 541, Amdt. 6]

## RAW, DRESSED, DRESSED AND DYED FURS AND PELTRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 541 is amended in the following respects:

1. The items Northern muskrat and Southern muskrat listed in the table in section 9 (a) are amended to read as follows:

Column I	Column II	Column III
Kind	Description	Net price per skin (except as indicated)
Muskrat, northern (including Jersey and Russian).	(a) Extra large or large, No. I or II, betweens, made from northern muskrat raw skins described in (a) above.	\$2.30
Muskrat, southern.	(b) Dressed, made from southern muskrat raw skins described in (a) above.	1.77
		1.95

2. Section 9 (d) (1) is amended to read as follows:

(1) *Brokerage charges*. Except in the case of muskrat furs or peltries, in the event that a broker is employed to buy furs or peltries of the kinds listed in paragraph (a) above, on behalf of the purchaser, a commission or fee (not to exceed the maximum price permitted under Revised Maximum Price Regulation 105) may be charged for such service, and may be paid by the purchaser in addition to the applicable maximum price established by paragraph (a). In no event may a person charge or receive such a commission or fee on furs or

peltries sold for his own account, or on furs or peltries purchased in excess of the permissible maximum price. Such charge shall be separately billed by the broker to the purchaser of such furs or peltries.

A broker may not charge or receive, and no purchaser may pay, a commission for the service of locating, buying or procuring muskrat fur skins or peltries, if the commission plus the purchase price results in a total payment by the purchaser thereof which is higher than the maximum price permitted by subparagraph 9 (a), above.

This amendment shall become effective December 22, 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-29549; Filed, Dec. 17, 1945; 4:40 p. m.]

## PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-1, Amdt. 3]

## INSULATION AND FELT CORDWOOD AND RELATED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 535-1 is amended in the following respects:

1. Section 11 (c) (3) is amended to read as follows:

(3) *Maximum prices*.

TABLE 1—ZONE 237

[Per cord of 123-133 cubic feet]

2. Section 12 (c), is amended to read as follows:

(c) *Maximum prices*, \$8.35 per cord of 128 cubic feet, f. o. b. railroad cars or delivered to the mill by truck, excepting that the price of all pine grain door bolts

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

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19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

19 F.R. 5309; 10 F.R. 15058.

delivered to a mill at Lufkin, Texas by truck or similar vehicle shall be \$8.85.

3. Section 13 (b), the last sentence is changed to read as follows:

(b) The minimum diameter acceptable is 6 inches.

This amendment shall become effective December 24, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22625; Filed, Dec. 18, 1945;  
12:04 p. m.]

#### PART 1340—FUEL

[RMFR 436, Amdt. 20]

#### CRUDE PETROLEUM, AND NATURAL AND PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 436 is amended in the following respect:

1. Section 10 (k) (3) is amended to read as follows:

(3) The maximum price at the receiving tank for crude petroleum produced from the Berea Sand, Meigs County, Ohio, shall be \$2.25 per barrel.

This amendment shall be effective December 23, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22623; Filed, Dec. 18, 1945;  
12:04 p. m.]

#### PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-2<sup>1</sup>, Amdt. 5]

##### LAKE STATES CORDWOOD

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation 535-2 is amended in the following respects:

1. Section 12 (c) is amended to read as follows:

(c) *Maximum prices.*

##### TABLE 1—100" Box Bolts

[Per single cord of 133 cubic feet f. o. b. cars. A maximum addition of \$1.00 per single cord may be made for material delivered to the buying plant yard by truck]

Species:	
Aspen (Popple).....	\$11.25
Jack pine.....	13.25
Hemlock.....	12.75
White birch.....	11.00
Basswood.....	12.25
Balm of gilead.....	9.50
Mixed hardwood.....	11.00
Norway and white pine.....	14.00

<sup>1</sup> 9 F.R. 5246, 7574, 14836; 10 F.R. 15134.

##### TABLE 2—100" SHINGLE BOLTS

[Per single cord (133 cubic feet) f. o. b. trucks. For delivery to mill or landing, add actual cost of delivery. For loading on cars, add the actual cost of loading]

Species: White cedar..... \$8.25

2. Section 13 (c) is amended to read as follows:

(c) *Maximum prices.*

##### TABLE 3—Box Bolts<sup>1</sup>

[Per double cord (266 cubic feet)]

Species	All box bolts 6 inches and up in diameter (must contain at least 40% by volume of bolts 8 inches and up in diameter)	Box bolts 6 to 8 inches in diameter	Box bolts 8 inches and up in diameter
Aspen (popple).....	\$21.00	\$19.00	\$24.50
Basswood.....	23.50	21.00	25.50
Jack Pine.....	25.50	24.50	29.00
Norway (red) pine.....	25.50	24.50	30.00
White pine.....	25.50	24.50	30.00
Balsam fir.....	30.00	27.50	32.00
Spruce.....	34.50	32.00	35.50
Cottonwood.....	20.00	17.50	23.50
Elm.....	20.00	17.50	23.50
Soft maple.....	20.00	17.50	23.00
Balm of gilead.....	17.50	15.50	21.00

<sup>1</sup> If box bolts are delivered by truck to a mill located at Cloquet, Brainerd, Grand Rapids, Little Falls, Sartell, or International Falls in Minnesota, the buying plant may add \$2.00 per double cord to the maximum prices set forth above.

##### TABLE 4—VENEER SHORT LOGS

[Per single cord]

Species	50" and 100" lengths (133 cubic feet)	45" and 90" lengths (120 cubic feet)
Aspen (popple).....	\$15.50	-----
Basswood.....	15.50	-----
White birch.....	-----	\$20.00

##### TABLE 5—SHORT BOLTS

[Per cord of 128 cubic feet]

Species: White and red oak..... \$12

3. Section 14 (d) is amended to read as follows:

(d) *Maximum prices.*

##### TABLE 6—BOLTS

Species:	Per cord of 128 cubic feet
Red Oak, White Oak.....	\$12.00
All other species.....	11.00

This amendment shall become effective December 24, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22628; Filed, Dec. 18, 1945;  
12:04 p. m.]

#### PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-3,<sup>1</sup> Amdt. 3]

##### EXCELSIOR WOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

<sup>1</sup> 9 F.R. 5309, 6256; 10 F.R. 7242.

Table 1 in section 14 (c) is amended to read as follows:

(c) *Maximum prices.*

##### TABLE 1—ZONE 237

[Per unit of 147 cubic feet]

Species	Peeled	Unpeeled
Poplar.....	\$15.50	\$11.25
Basswood.....	15.50	11.25

This amendment shall become effective December 24, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22627; Filed, Dec. 18, 1945;  
12:04 p. m.]

#### PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-7<sup>1</sup>, Amdt. 1]

##### CHEMICAL CORDWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 19 (b) is amended to read as follows:

(b) *Maximum prices.* F. o. b. railroad cars or delivered by truck to buyer's plant:

(1) \$10.00 per unit of 138 cubic feet.

(2) Chemical logs—\$23.00 per M feet, log scale, using Scribner Decimal "C" rule.

(3) Chemical logs or cordwood—\$3.25 per ton.

(1) Where a buying plant is equipped for weighing, this unit may be bought on a weight basis, delivered to a buyer's plant at a maximum price of 20¢ per 100 lbs. for green wood and this price may be increased on a sliding scale depending on the dryness of the wood to a maximum price of 33¢ per 100 lbs. for bone dry wood delivered to the buyer's plant.

This amendment shall become effective December 24, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22628; Filed, Dec. 18, 1945;  
12:05 p. m.]

[SO 132,<sup>2</sup> Amdt. 12]

#### PART 1305—ADMINISTRATION

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF CERTAIN FOODS, GRAINS AND CEREALS, FEEDS, TOBACCO AND TOBACCO PRODUCTS, AGRICULTURAL CHEMICALS, INSECTICIDES AND BEVERAGES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Supplementary Order No. 132 is amended in the following respect.

<sup>1</sup> 9 F.R. 5250.

<sup>2</sup> 10 F.R. 11512, 11808, 12526, 12960, 12986, 13368, 13402, 13403, 14023.

In section 2 (a) (1), the following commodity is added in alphabetical order:

	From	Termination date
Processed citrus fruit, processed on or after October 1, 1945. (This is limited to fresh citrus juices; canned or frozen single strength orange juice; canned or frozen single strength grapefruit juice; canned or frozen single strength blended orange and grapefruit juice; canned grapefruit segments or pieces; canned orange segments or pieces; canned tangerine segments or pieces, and combinations thereof; concentrated citrus juice of any degree of concentration; canned or frozen lemon juice; frozen lime juice; crushed citrus fruit; citrus marmalade base; citrus molasses; citrus pulp; shredded, minced, sliced, or diced citrus fruit or citrus peel, in containers whether or not hermetically sealed; citrus flavoring base concentrate (a food flavoring consisting of concentrated or natural strength citrus juice, citrus oils, sugar in any form, with or without other flavoring substances and with or without the addition of acidulant, coloring or water); and citrus flavored beverage sirup (the product consisting of citrus flavoring base concentrate with added sugar sirup and requiring only the addition of water to produce a finished beverage.)	Dec. 24, 1945	Indefinite.

This amendment shall become effective December 24, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

Approved: November 30, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-22630; Filed, Dec. 18, 1945; 12:05 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [2d Rev. MPR 270,<sup>1</sup> Amdt. 11]

##### DRY EDIBLE BEANS AND CERTAIN OTHER DRY FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 5, the following sentences are added after the first sentence in paragraph (a); "If the shipment is by water, there may be added also as part of the cost of transportation the cost of moving the shipment from the place at which it was processed to the dock, the cost of unloading at that dock, wharfage, handling, tollage and usage charges, the cost of marine insurance, the cost of loading the goods on a car, truck or other conveyance at the port of discharge and the cost of transporting that shipment from the port of discharge to the consignee's receiving point. However, costs of loading the shipment at the place at which it was processed and costs of un-

loading at the consignee's receiving point may not be added."

This amendment shall become effective December 24, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

Approved December 10, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-22618; Filed, Dec. 18, 1945; 12:03 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [MPR 53, Amdt. 54]

##### FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 53 is amended in the following respects:

1. Section 5.1 (a) is amended by changing the last group of states in the table to read as follows:

Alabama, Arkansas, Florida, Georgia (except Savannah), Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana (except New Orleans), Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas (except Houston), Wisconsin, 11.75.

2. Section 9.1 is amended by changing the price of rapeseed oil, denatured, in the last part of the table to read as follows:

	C. I. F., New York	C. I. F., Pacific Coast ports	C. I. F., Gulf ports
Rapeseed oil, denatured.....	13.00	13.00	13.00

This amendment shall become effective December 24, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

Approved: December 10, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-22614; Filed, Dec. 18, 1945; 12:01 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [2d Rev. MPR 270,<sup>1</sup> Amdt. 12]

##### DRY EDIBLE BEANS AND CERTAIN OTHER DRY FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 270 is amended in the following respects:

<sup>1</sup> 9 F. R. 9261, 10876, 12129, 14106; 10 F. R. 620, 5696, 6589, 7531.

1. In section 2 (a), the definition of "destination distributor" is amended to read as follows:

"Destination distributor" means the person, other than a processor or dealer, who has his principal place of business at the terminal market or marketing area where the particular lot of dry beans, peas or lentils being priced was received in a carlot or trucklot shipment and who customarily buys that kind and variety (or class) of the listed commodity from dealers and resells to wholesalers for his own account.

2. Section 4 (c) (3) is amended to read as follows:

(3) This paragraph applies to a sale of dry beans, peas or lentils by a dealer to a wholesaler through a broker who has his principal place of business at the terminal market or marketing area where the particular lot of dry beans, peas or lentils being priced was received in a carlot or trucklot shipment. The maximum price for such a sale is the maximum price otherwise applicable under paragraph (c) (1) or (2) above, plus either the broker's actual charge (not to exceed his maximum charge under Maximum Price Regulation 165) or 10¢ per cwt., whichever is lower.

This amendment shall become effective December 23, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

Approved December 10, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-22619; Filed, Dec. 18, 1945; 12:03 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [RMFR 271,<sup>1</sup> Amdt. 45]

##### POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 24 is amended in the following respects:

1. In the titles to Tables II and III, the phrase "of the 1945 crop" is deleted.

2. Footnote 1 to Table II (Early Dry Onions) is amended to read as follows:

<sup>1</sup> The prices in the foregoing table are subject to the following differentials per 50 pounds:

- (a) For white onions, add 15¢.
- (b) For White boiler and white pickler onions meeting U. S. Department of Agriculture standards for size only, add \$1.00.
- (c) For onions 3 inches and larger, add 20¢.
- (d) For onions shipped in rail freight cars furnished with excelsior pads or other protective pads at the seller's expense, add the actual cost of such service, not to exceed 2¢.

<sup>1</sup> 8 F. R. 15587, 15663; 9 F. R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931, 9356, 9783, 10089, 10199, 10381, 10778, 12270, 12475, 13262; 10 F. R. 1334, 2248, 2969, 3764, 4035, 4154, 4347, 4600, 5457, 6589, 7527, 7929, 8475, 8934, 10023, 10226.

(e) For onions sold in bulk or in containers furnished by the buyer, subtract 15¢.

3. Footnote 1 to Table III (Dry Onions) is amended to read as follows:

<sup>1</sup>The prices in the foregoing table are subject to the following differentials per 50 pounds:

(a) For white onions, add 30¢.  
(b) For white boiler and white pickler onions meeting U. S. Department of Agriculture standards for size only, add \$1.00.  
(c) For onions 3 inches and larger, add 20¢.

(d) For onions shipped in rail freight cars furnished with excelsior pads or other protective pads at the seller's expense, add the actual cost of such service not to exceed 2¢.

(e) For onions sold in bulk or in containers furnished by the buyer, subtract 15¢; if the buyer also performs all sorting and loading functions, subtract an additional 25¢ or a total of 40¢.

(f) For onions in containers furnished at the seller's expense, add 15¢ if the containers are 10-pound sacks or smaller, add 25¢ if the containers are 10-pound mesh bags or smaller, and add 10¢ if the containers are 25-pound mesh bags.

This amendment shall become effective December 24, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

Approved: December 10, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-22620; Filed, Dec. 18, 1945;  
12:03 p. m.]

#### PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 389, Amdt. 22]

#### CEILING PRICES FOR CERTAIN SAUSAGE ITEMS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 389 is amended in the following respects:

1. Paragraph (a) of section 1 is amended to read as follows:

(a) This regulation fixes dollar-and-cents ceiling prices on certain sausage and sausage products. It also provides for the establishment of maximum prices on all other sausage products which may be sold. On and after February 22, 1945, no person may sell or deliver, except at retail, and no person in the course of trade or business may buy or receive sausage or sausage products at prices higher than the prices permitted by this regulation. But lower prices may be charged or paid. Except as indicated in paragraph (b) of this section 1, no person may sell or deliver, except at retail, and no person in the course of trade or business may buy or receive any sausage or sausage product for which maximum

prices have not been established under this regulation.

2. Subparagraph (1) of section 2 (a) is amended by changing the words "chili con carne" appearing therein to read "chili con carne with beans, condiments and/or other similar extenders."

3. Subparagraph (6) of section 2 (a) is amended by changing the words preceding subdivision (i) thereof to read as follows:

(6) If the ceiling price for any sausage product listed in paragraph (a) (1) above cannot be determined by the manufacturer under paragraph (a) (2) above, the manufacturer shall file with the Office of Price Administration, Washington, D. C., an application for a ceiling price. The manufacturer shall set forth in the application:

4. Subparagraph (7) of section 2 (a) is added to read as follows:

(7) [Note: The following provisions are applicable only on sausage products which bear thereon either the name of the manufacturer or the federal or state establishment number.] If the ceiling price for any sausage product listed in paragraph (a) (1) above cannot be determined under paragraph (a) (2) above by a seller who is not the manufacturer of the product, such seller shall determine his ceiling price for such product in the following manner:

(i) First ascertain the invoiced price per hundredweight which the manufacturer charged for such product.

(ii) To the amount ascertained under foregoing subdivision (i) add the cost per hundredweight of any transportation and/or local delivery charges which have been incurred thereon.

(iii) To the amount ascertained under foregoing subdivision (ii) the seller may add the applicable additions specified in subparagraphs (1) and (2) of section 12 (c).

5. Subparagraph (1) of section 3 (a) is amended to read as follows:

(1) The provisions of this regulation supersede the provisions of the General Maximum Price Regulation, Revised Maximum Price Regulation No. 169, and except as permitted by section 1 (b), Revised Maximum Price Regulation No. 148.

6. Paragraph (a) of section 4 is amended to read as follows:

(a) *What sausage may be sold.* Except as permitted by section 1 (b), no sausage may be manufactured for sale, offered for sale, or sold, or bought or acquired in the course of trade or business unless such sausage meets the requirements for one of the kinds and types of sausage for which dollar-and-cents prices are established in section 12 (a) of this regulation, or is one of the sausage or sausage products listed in section 2 (a) (1) of this regulation and for which maximum prices have been established under the provisions of subparagraphs (2), (6) or (7) of section 2 (a) of this regulation.

7. Item (vi) is added to section 12 (a) (8) to read as follows:

Item  
(vi) Chili con carne, plain (without beans), in artificial casings (A. C.); in molded shapes, completely enclosed in cellophane and/or moisture resistant parchment and/or waxed paper; or in heavy cardboard waxed cups:

Type 1-----	\$26.00
Type 2-----	24.00
Type 3-----	19.25

8. The definition of "hotel supply house" in section 13 (a) is amended to read as follows:

"Hotel supply house" means a seller who meets the specifications set forth in §§ 1364.455 (b) (1) and 1364.470 (b) (1) of Revised Maximum Price Regulation No. 169.

9. The definition of "all beef frankfurters, bologna and knackwurst" in section 13 (c) is amended to read as follows:

"All beef frankfurters, bologna and knackwurst" means a smoked and cooked sausage containing no meat other than beef and beef fat; and containing no meat by-products; which has a fat content not in excess of 25 percent; which contains no more than 10 percent added moisture or water; which contains no extender; and which has been made under federal inspection.

10. Paragraph (d) of section 13 is amended by the addition of the following words to be added immediately following the italicized words *Pork or breakfast sausage*: [Note: These products may be sold only to retailers, purveyors of meals, or other sellers who resell such products without altering the form or ingredients thereof.]

11. The definition of "New England" in section 13 (h) is amended to read as follows:

"New England" means a sausage which is made of at least 85 percent pork as the major ingredient and one of the following as the minor ingredient: beef, pork cheek meat or pork head meat; which is stuffed in beef casings or artificial casings; which is smoked and cooked; which has a fat content not in excess of 15 percent; which has a yield not in excess of 98 percent, and which contains no extender.

12. Paragraph (h) of section 13 is amended by the addition of a definition for "chili con carne, plain (without beans)" to read as follows:

"Chili con carne, plain (without beans)" means chopped, ground or comminuted beef, veal, pork, meat by-products (including product derived from goats), beef or pork fat; which has been seasoned with ground chili peppers and/or other seasoning; which may contain extender (except beans) and which either is stuffed in artificial casings, or is in molded shapes, which have been completely enclosed in cellophane and/or moisture resistant parchment and/or waxed paper, or is completely enclosed in heavy cardboard waxed cups. It may be made only in the three following types:

"Type 1 chili con carne, plain (without beans)" shall be made in any combina-

tion of not less than 75 percent of fresh or frozen uncured beef, veal or pork, and not more than 25 percent of beef or pork fat (the foregoing percentages shall be based on the total uncooked weight of the meats used and the rendered weight, estimated if not actual, of the beef or pork fat used). The finished product shall not have a fat content in excess of 35 percent; may contain extender other than beans not in excess of 8 percent of the weight of the finished product; shall contain a suitable mixture of spices and seasoning, including ground chili peppers; and the yield of the finished product shall not exceed 85 percent of the total of the weights of the uncooked meat ingredients, the rendered beef or pork fat, and the extender used.

"Type 2 chili con carne, plain (without beans)" shall be made in any combination of not less than 75 percent of fresh or frozen uncured beef, veal or pork, and not more than 25 percent of beef or pork fat (the foregoing percentages shall be based on the total uncooked weight of meats used and the rendered weight, estimated if not actual, of the beef or pork fat used). Hearts, beef, veal or pork cheeks, or head meat may be substituted for an equal quantity of beef, veal or pork, but not in excess of 50 percent of the total meats used. The finished product shall not have a fat content in excess of 35 percent; may contain extender other than beans not in excess of 8 percent of the weight of the finished product; shall contain a suitable mixture of spices and seasoning, including ground chili peppers; and the yield of the finished product shall not exceed 85 percent of the total of the weights of the uncooked meat ingredients, the rendered beef or pork fat, and the extender used.

"Type 3 chili con carne, plain (without beans)" shall be made with any amount of skeletal meat, beef or pork fat, or meat by-products (including those derived from goats); may contain extender other than beans not in excess of 15 percent of the weight of the finished product; shall contain a suitable mixture of spices and seasoning, including ground chili peppers; and the yield of the finished product shall not exceed 95 percent of the total of the weights of the uncooked meat ingredients, the rendered beef or pork fat, and the extender used.

This amendment shall be effective as of December 18, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

Approved: December 10, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-22621; Filed, Dec. 18, 1945;  
12:03 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 1 to Revocation]

##### MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and

has been filed with the Division of the Federal Register.

The order of revocation to Revised Ration Order 16 issued November 23, 1945, effective 12:01 a. m. November 24, 1945, is amended by substituting for the phrase, "Before December 12, 1945," the phrase, "Before January 6, 1946."

This amendment to the order of revocation shall become effective December 17, 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22548; Filed, Dec. 17, 1945;  
4:49 p. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS, [2d Rev. MPR 183, Amdt. 14]

##### MISCELLANEOUS COMMODITIES IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 183 is amended in the following respects:

1. In section 4.2 (Beverages) a new item is added to read as follows, to be inserted after the last item listed under the heading "Beer and Malt (Puerto Rican)":

Item and brand name	Case of—	Price at wholesale	Price at retail, per unit
Beer (produced in U. S.) all brands.	24/12 oz. glass	\$3.25	\$0.17

2. In section 4.2, under the heading "Beer and Malt (Puerto Rican)," the wholesale prices for beer in kegs are revised to read as follows:

Item and brand name	Case of—	Price at wholesale
Beer and malt (Puerto Rican) Compania Cervecera de Puerto Rico:		
India beer.....	14 keg.....	\$10.30
	14 keg.....	11.00
Corona Brewing Corporation:		
Corona beer.....	14 keg.....	10.50
	14 keg.....	11.00
Tropical City Ice Company:		
Tropical beer.....	14 keg.....	10.30
	14 keg.....	11.00

3. In section 4.9 (b) subparagraph (4) relating to registration and reports is deleted.

4. In section 4.11 (b) the first two listed items are revised to read as follows:

##### (b) Cured.

Item	Price at wholesale	Price at retail
All hard dried, semi-dried or smoked (except codfish).....	Per pound \$0.153	Per pound \$0.19
Codfish.....		.22

\* 10 F.R. 7635, 8933, 9223, 9227, 10224, 10976, 11666, 11811, 12555, 12744, 12745, 12961.

5. In section 4.14 (b) the prices of one item are revised to read as follows:

##### (b) Fruit juices and nectars.

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Pear Juice: Libby's.....	24/12 oz. glass	\$4.10	\$0.21

6. In section 4.22 (a), the prices of one item are revised to read as follows:

##### (a) Tomato products.

Items and brand names	Case of—	Price at wholesale	Retail price (per unit)
Tomato paste: Gibbs.....	100/8 oz. can	\$9.25	\$0.11

7. In section 4.22 (a), under the column headed "Tomato Sauce," the item "Demand, case of 72/7½ oz. can" is deleted.

8. In section 4.25 paragraph (b) is amended to read as follows:

##### (b) Dried vegetables.

	Price at wholesale	Price at retail
All dried beans (except dried peas, lima beans, red kidney beans and garbanzos) imported from the continental United States: Grades 1, 2, 3, and better.....	Per 100 lbs. \$8.70	Per lb. \$0.10
All grades of red kidney beans: Grades 1, 2, 3, and better.....	8.50	.10
All grades inferior to U. S. 3, including samples and standards.....	7.00	.08
All grades of lima beans and baby lima beans imported from the continental United States.....	9.00	.10
All grades of dried peas imported from the continental United States.....	7.00	.08
All grades and counts of garbanzos.....	Per 100 lbs. \$10.00	.11
	Per hundredweight	
All grades of red, pink and mottled varieties of dried beans and lentils not imported from the continental United States.....	\$12.50	1.15
All grades of white varieties of dried beans not imported from the continental United States.....	11.	.14
Fleets peas not imported from the continental United States.....	6.50	.08

\* On home delivered sales the maximum price at retail, except for lentils, may be increased by 1¢ per pound.

NOTE.—The above prices do not apply to sales of seeds to the Federal or Insular Government or to the agencies of either. Such sales are exempted from price control.

9. In section 10.1 paragraph (b) is amended by changing the price of one item to read as follows:

##### (b) Maximum prices.

	Case of—	Price at wholesale	Retail price (per unit)
Laundry: All brands.....		Pound \$0.035	Pound \$0.10

10. In section 12.8 the headnote of subparagraph (1) of paragraph (a) is amended to read as follows:

(1) All varieties of imported safety matches.

\* 10 F.R. 2521, 2875, 3223, 3556, 3549.



11. In section 12.8 subparagraph (3) is added to paragraph (a) to read as follows:

(3) *Matches manufactured in Puerto Rico.* (i) Boxed wooden safety matches manufactured by Pan American Match Company.

	At wholesale	At retail
Tres Palmas.....	\$1.15 per gross....	Per box \$0.01
Flama de Oro (containing not less than 300 matches per box).	\$4.59 per pkg. of 72 boxes.	08

12. Paragraph (b) of section 12.8 is amended to read as follows:

(b) *Definitions.* When used in this section the term:

(1) "Boxed wooden safety matches" means wood or veneer splint matches, packed in a box containing an average of not less than 30 matches unless otherwise specified, and normally ignitable only when struck on a prepared surface of the box.

13. Section 12.11 is amended to read as follows:

SEC. 12.11 *Maximum prices for water filters, parts and accessories—(a) Water filters.*

Item	Retail price (each)
No. 1.....	\$6.10
No. 2.....	7.25
No. 3.....	8.55
No. 4.....	9.90
No. 6.....	12.10
Filtrene No. 4.....	25.00

(b) *Parts and accessories.*

Item:	Retail price
Chloricide cells for Filtrene No. 4 filters.....	\$6 each.
Sheets for Filtrene No. 4 Filters.....	\$4 per doz.

14. Section 12.12 is added to read as follows:

SEC. 12.12 *Maximum prices for china, pottery, glassware and enamelware imported from the United States.* (a) The maximum prices for imported china, pottery, glassware and enamelware shall be:

(1) For china, pottery and glassware, the direct cost to the importer multiplied by 1.20 for sales at wholesale, and by 1.75 for sales at retail.

(2) For enamelware purchased directly from a manufacturer, the direct cost to the importer multiplied by 1.20 for sales at wholesale, and by 1.75 for sales at retail.

(3) For enamelware purchased from a wholesaler in the United States, the direct cost to the importer multiplied by 1.15 for sales at wholesale, and by 1.53 for sales at retail.

(b) *Applicability.* This section applies to sales of china, pottery, glassware and enamelware which are commonly used in the household for cooking, mixing, storing, or service of food or beverages. Novelty or decorative items designed for and used solely as decoration or ornamentation are not covered by this section.

(c) *"Cross-stream" sales.* The maximum price for a sale by a wholesaler to

another wholesaler or by a retailer to another retailer shall be no higher than the importer's direct cost of the article extended by the mark-ups authorized by paragraph (a) above for sales at wholesale.

(d) *Notification to retailers.* The importer shall, at the time of, or prior to the first delivery to each retailer, notify the retailer in writing of his maximum retail price, under this section.

15. In section 14.2 (Penicillin) new items are added to read as follows:

Item	Size	Price at wholesale	Price at retail
Ledercillin-G Lozenges..	1,000 Oxford units per lozenge.	1 \$0.92	1 \$1.30
Per-Os-Cillin Roche.....	25,000 Oxford units per tablet.	2 3.60	2 5.45

<sup>1</sup> Tube of 25 lozenges.

<sup>2</sup> Bottle of 72 tablets.

16. Section 14.4 is added to read as follows:

SEC. 14.4 *Maximum prices for DDT (dichloro-diphenyl-trichloroethane) or compositions thereof.* (a) The maximum prices for DDT or compositions thereof, imported from the United States, shall be:

(1) For sales by the importer, the direct cost to the importer multiplied by 1.20 for sales at wholesale, and by 1.60 for sales at retail, *Provided*, That the importer purchased the product directly from a manufacturer or wholesaler.

(2) For sales at retail by a person other than the importer, the price paid to the importer multiplied by 1.33 $\frac{1}{3}$ .

(b) *Notification to retailers.* The importer shall, at the time of, or prior to the first delivery to each retailer, notify the retailer in writing of his maximum retail price under this section.

This amendment shall become effective December 24, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22616; Filed, Dec. 18, 1945; 12:02 p. m.]

#### PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES [MPR 426,<sup>1</sup> Amdt. 156]

##### FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 2 (Maximum Prices for Spinach), the following sentence is added to footnote 1:

<sup>1</sup> 10 F.R. 8021, 7500, 7539, 7578, 7668, 7683, 7799, 8069, 8239, 8238, 8612, 8467, 8611, 8657, 8905, 8936, 9023, 9118, 9119, 9277, 9447, 9628, 9928, 10087, 10025, 10229, 10311, 10303, 11072, 12213, 12084, 12408, 12447, 12532, 12637, 12702, 12745, 12960, 13129, 13271, 13313, 13369, 13595, 13776, 14027.

For spinach without roots, crown, butt or bud, the Column 5 price shall be higher than that shown in the table by 35¢ per bushel (item 1), 44¢ per  $\frac{1}{2}$  crate (item 2) or 2¢ per pound (items 3 and 4).

This amendment shall become effective 12:01 a. m. December 19, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

Approved: December 13, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-22622; Filed, Dec. 18, 1945; 12:03 p. m.]

#### PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,<sup>1</sup> Amdt. 157]

##### FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 4 (Maximum Prices for Snap Beans (green or wax)), footnote 5 is amended to read as follows:

<sup>5</sup> During the period beginning December 15, 1945, and ending January 20, 1946, "\$3.25" in Item 1, Columns 5 and 6, is changed to "\$4.60"; "\$3.50" in Item 2, Columns 5 and 6, is changed to "\$4.95"; "11.6" in Item 7, Column 5, is changed to "16.3"; and "12.5" in Item 8, Column 5, is changed to "17.6".

This amendment shall become effective 12:01 a. m., December 15, 1945.

Issued this 14th day of December 1945.

CHESTER BOWLES,  
Administrator.

Approved: December 13, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-22443; Filed, Dec. 14, 1945; 4:38 p. m.]

#### TITLE 46—SHIPPING

##### Chapter I—Coast Guard: Inspection and Navigation

###### Subchapter D—Tank Vessels

#### PART 37—SPECIFICATIONS FOR LIFESAVING APPLIANCES

##### ELECTRIC WATER LIGHTS

By virtue of the authority vested in me by R. S. 4405 and 4417a, as amended (46 U.S.C. 375, 391a), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), I find that an emergency exists and the following amendment to the Tank Vessel Regulations is necessary in the conduct of the war and shall be made effective upon the date of publication in the FEDERAL REGISTER:

Section 37.9-1 *Automatic electric water lights—TB/ALL* is amended in the

second sentence by changing the date "January 1, 1946" to "July 1, 1946." (For text of regulation see FEDERAL REGISTER of August 23, 1945, 10 F.R. 10365)

Dated: December 17, 1945.

L. T. CHALKER,  
Rear Admiral, U. S. C. G.,  
Acting Commandant.

[F. R. Doc. 45-22600; Filed, Dec. 18, 1945;  
11:07 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[S. O. 93, Amdt. 5]

#### PART 95—CAR SERVICE

##### GIANT REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of December, A. D. 1945.

Upon further consideration of Service Order No. 93 (7 F.R. 8903) as amended (8 F.R. 13752; 13925; 9 F.R. 2481, 11208), and good cause appearing therefor: it is ordered, that:

§ 95.301 *Giant type refrigerator cars*, of Service Order No. 93 (7 F.R. 8903) as amended, be, and it is hereby, further amended to read as follows:

(a) *Rates applicable.* Common carriers by railroad subject to the Interstate Commerce Act serving points in Arizona and California, shall furnish without regard to ownership for loading with commodities, in carloads, suitable for transportation in refrigerator cars, and shall accept and transport such commodities in giant type refrigerator cars as defined in paragraph (b) hereof, at the freight rates applicable on the same commodities when loaded in standard refrigerator cars (cars with inside length between bulkheads—loading space—of less than 37 feet 6 inches).

(b) *Giant refrigerator car defined.* For the purpose of this order, the term "giant refrigerator cars" is defined as refrigerator cars (1) with inside measurement between bulkheads (loading space) of not less than 37 feet 6 inches, and (2) convertible refrigerator cars with collapsible bunkers having inside length between bulkheads (loading space) of less than 37 feet 6 inches with bulkheads in place and in excess of 37 feet 6 inches with bulkheads collapsed.

(c) *Cars exempt from order.* The provisions of this order shall not be construed to include the following cars: SFRD refrigerator cars in series numbers 5000 to 5144 inclusive; PFE refrigerator cars in series numbers 200001 to 200125, 200301 to 200375 inclusive; BRE refrigerator cars in series numbers 300 to 329 inclusive; WFE refrigerator cars in series numbers 400 to 499 inclusive; FGE refrigerator cars in series numbers 600 to 609 inclusive; URT refrigerator cars in series numbers 89000 to 89049 inclusive.

(d) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with this order is hereby suspended.

(e) *Announcement of suspension.* Each railroad, or its agent, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions above set forth.

(f) *Effective date.* This order shall become effective at 12:01 a. m., December 17, 1945.

(g) *Expiration date.* This order as amended shall expire at 12:01 a. m., March 1, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, 485; sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, that a copy of this amendment and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-22576; Filed, Dec. 18, 1945;  
10:53 a. m.]

[S. O. 95, Amdt. 2]

#### PART 95—CAR SERVICE

##### REFRIGERATOR CAR AGENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of December, A. D., 1945.

Upon further consideration of the provisions of Service Order No. 95, and good cause appearing therefor:

It is ordered, That Service Order No. 95 (7 F.R. 9257) as amended (8 F.R. 17428) be, and it is hereby further amended by adding the following paragraphs (c) and (d) to § 95.302, *Refrigerator car agent*:

(c) (1) As agent, acting on instructions of the Director of the Bureau of Service, he is hereby authorized and directed to require any common carrier by railroad subject to the Interstate Commerce Act, to deliver, accept or transport empty refrigerator cars for the purpose of equalizing the supply of such empty refrigerator cars on railroads serving points where fresh fruits and vegetables are tendered for loading.

(d) This order, as amended, shall expire at 11:59 p. m. May 1, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, This amendment shall become effective at 12:01 a. m. December 18, 1945; that a copy of this order and direction be served upon the Association of American Railroads, Car

Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-22577; Filed, Dec. 18, 1945;  
10:53 a. m.]

[S. O. 160-G]

#### PART 95—CAR SERVICE

##### RESTRICTION ON HOLDING GRAIN OR SEEDS FOR ORDERS AT MINNESOTA POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of December, A. D. 1945.

Upon further consideration of Service Order No. 160 (8 F.R. 14223-24) of October 13, 1943, and good cause appearing therefor: it is ordered, that:

(a) *Service Order No. 160 vacated.* § 95.34 prohibiting the holding for orders of carloads of grain or seeds at Glenwood, St. Cloud, Staples, Thief River Falls, or Willmar, Minnesota, Service Order No. 160 (8 F.R. 14223-24) of October 13, 1943, be and it is hereby, vacated.

(b) *Announcement of vacation.* Each of the railroads affected by this order, or its agent, shall publish, file and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule (9K) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the vacating of Service Order No. 160 and the reestablishment of the tariff provisions affected hereby. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that this order shall become effective at 12:01 a. m., December 15, 1945; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-22578; Filed, Dec. 18, 1945;  
10:53 a. m.]

[Rev. S. O. 183]

#### PART 95—CAR SERVICE

##### REFRIGERATOR CAR DEMURRAGE ON STATE BELT RAILROAD OF CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of December A. D. 1945.

It appearing, that demurrage charges are not being assessed for detention to refrigerator cars used for transporting commodities intraterminal by the State Belt Railroad of California; that refrigerator cars are being delayed unduly, resulting in a diminution of utilization of such cars; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

(a) *Demurrage charges to be applied on refrigerator cars engaged in intraterminal transportation.* (1) The State Belt Railroad of California shall apply the demurrage charges shown in paragraph (a) (2) to any refrigerator car used for transporting any commodity to, from, or between industries, plants, or piers located at points or places named in Districts A and/or B as described in Item No. 15 of Tariff I. C. C. No. 5 of the State Belt Railroad operated by the State of California.

(2) After the expiration of twenty-four (24) hours' free time after a refrigerator car is first placed for loading and until shipping instructions covering such car are tendered to said carrier's agent and/or after twenty-four (24) hours' free time after a refrigerator car is first placed for unloading and until such car is unloaded and released, the demurrage charges shall be \$11.00 per car per day or fraction thereof for the first day; \$22.00 per car per day or fraction thereof for the second day; and \$44.00 per car per day or fraction thereof for each succeeding day.

NOTE: After a refrigerator car is loaded and released for movement by the tender of shipping instructions to said carrier's agent, if the car is not actually placed for unloading for any reason within forty-eight (48) hours after such car is released for movement, but is held by the carrier short of place of delivery for unloading, such car will be considered as constructively placed at the expiration of the said forty-eight (48) hours and demurrage time shall be computed from the expiration of the said forty-eight (48) hours until said car is unloaded and released.

(b) *Application.* (1) The provisions of this order shall apply to intrastate as well as interstate traffic.

(2) On and after the effective date of this order the provisions of this order shall apply to detention of any refrigerator car held for either loading or unloading. The number of days a refrigerator car has been held prior to the effective date of this order shall determine the charges applicable on that refrigerator car on the first full demurrage day and all subsequent demurrage days occurring after the effective date of this order.

(c) *Effective date.* This order shall become effective at 7:00 a. m., December 15, 1945.

(d) *Expiration date.* This order shall expire at 7:00 a. m., February 15, 1946, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that a copy of this order and direction shall be served upon the California State Railroad Commission and upon the State Belt Railroad of California; and that notice of this order be given to the general public by depos-

iting a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-22579; Filed, Dec. 18, 1945;  
10:53 a. m.]

[S. O. 370, Amdt. 1]

#### PART 95—CAR SERVICE

##### DEMURRAGE OF STATE BELT RAILROAD OF CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of December A. D. 1945.

Upon further consideration of Service Order No. 370 (10 F.R. 14031), and good cause appearing therefor:

It is ordered, that Service Order No. 370 be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 7:00 a. m., January 15, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this amendment shall become effective at 7:00 a. m., December 15, 1945; that a copy of this order and direction shall be served upon the California State Railroad Commission and upon the State Belt Railroad of California; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-22580; Filed, Dec. 18, 1945;  
10:53 a. m.]

#### Chapter II—Office of Defense Transportation

[Gen. Order ODT 59]

##### PART 502—DIRECTION OF TRAFFIC MOVEMENT

##### MAINTENANCE OF SCHEDULES FOR TROOP TRAINS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, and Executive Order 8989, as amended, in order to make railway cars and other transportation facilities available for the preferential transportation of troops and material of war; to prevent shortages of equipment necessary for such transportation; to assure the orderly and expeditious movement of troops and materials of war; and to expedite the movement of troop trains, the attainment of which purposes is essential to the war effort, it is hereby ordered, that:

§ 502.320 *Maintenance of schedules for troop trains.* Each common carrier

by railroad engaged in operations in whole or in part west of the Mississippi River and which engages in the movement or transportation over its lines, or any portion thereof, of troop trains or empty deadhead equipment for the movement of troops shall establish and maintain schedules for the movement of such trains over its lines, or portions thereof, which shall be equal in respect of the speed of the operation of such trains to that of the normal passenger train schedules established and maintained over its lines and portions thereof.

§ 502.321 *Communications.* Communications concerning this order should refer to "General Order ODT 59" and should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 59 shall become effective at 12:01 a. m., e. s. t., December 19, 1945, and shall remain in full force and effect until March 1, 1946.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 18th day of December 1945.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

[F. R. Doc. 45-22613; Filed, Dec. 18, 1945;  
11:39 a. m.]

## Notices

### DEPARTMENT OF AGRICULTURE.

#### Farm Security Administration.

##### TALLAHATCHIE COUNTY, MISS.

##### DESIGNATION OF LOCALITIES AND DETERMINATION OF AVERAGE VALUE OF FARMS

In accordance with the War Food Administrator's delegation of authority to the Administrator of the Farm Security Administration issued August 2, 1944, 9 F.R. 9389, as extended by Executive Order 9577 issued June 29, 1945, 10 F.R. 8087, for the purpose of making loans under Title I of the Bankhead-Jones Farm Tenant Act, the value of the average farm unit of 30 acres or more within each of the localities designated below, as determined by the 1940 farm census, is as follows:

##### REGION VI

##### MISSISSIPPI

##### Tallahatchie County

Locality I. Consisting of beat 1, beat 2, and beat 3..... \$2,074  
Locality II. Consisting of beat 4..... 7,116  
Locality III. Consisting of beat 5..... 10,466

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: December 14, 1945.

[SEAL]

C. STOTT NOBLE,  
Acting Administrator.

[F. R. Doc. 45-22601; Filed, Dec. 18, 1945;  
11:12 a. m.]

## CIVIL AERONAUTICS BOARD.

[Docket No. 2107]

AEROVIAS BRANIFF, S. A.

## NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Aerovias Braniff, S. A. for the issuance of a temporary foreign air carrier permit under section 402 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given that the hearing in the above-entitled matter heretofore assigned to be conducted on January 7, 1946, at 10 a. m. (eastern standard time) in Conference Room C, Departmental Auditorium, Washington, D. C. has been postponed until further notice from the Board.

Dated at Washington, D. C., December 17, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 45-22602; Filed, Dec. 18, 1945;  
11:13 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6243]

LUTHER E. GIBSON

## NOTICE OF HEARING

In re application of Luther E. Gibson (new), date filed, March 2, 1940, for construction permit; class of service, broadcast; class of station, broadcast; location, Vallejo, California; operating assignment specified: frequency, 1490 kc; power, 250 w; hours of operation, unlimited. Docket No. 6243; File No. B5-P-2787.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcasting Corporation (KSAN) (File No. B5-P-3913, Docket No. 6949), California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b Monterey Bay Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5-P-3889, Docket No. 6953), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), San Jose Broadcasting Co. (File No. B5-P-3921, Docket No. 6955) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.
2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.
3. To determine the type of program service proposed to be rendered and whether it would meet the requirements

No. 247—3

of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Luther E. Gibson, 516 Marin St., Vallejo, Calif.

Dated at Washington, D. C., December 6, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22467; Filed, Dec. 17, 1945;  
11:34 a. m.]

[Docket No. 6949]

GOLDEN GATE BROADCASTING CORP.

## NOTICE OF HEARING

In re application of Golden Gate Broadcasting Corporation (KSAN), date filed August 10, 1945, for construction permit to change frequency, increase power, and make changes in transmitting equipment and antenna; class of service, broadcast; class of station, broadcast; location, San Francisco, California; operating assignment specified: Frequency, 1460 kc; Power, 1 kw; Hours of operation, Unlimited. Docket No. 6949; File No. B5-P-3913.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b Monterey Bay Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5-P-3889, Docket No. 6953), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), San Jose Broadcasting Co. (File No. B5-P-3921, Docket No. 6955) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate the proposed facilities.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KSAN as proposed and the character of other broadcast services available to those areas.

3. To determine whether Station KSAN, operating as proposed, would provide primary service to (a) the business districts, (b) the residential districts, and (c) the metropolitan district of San Francisco as contemplated by the Commission's Standards of Good Engineering Practice.

4. To determine the type of program service proposed to be rendered by KSAN and whether it would meet the requirements of the populations and areas proposed to be served.

5. To determine whether the operation of Station KSAN as proposed would involve objectionable interference with any existing broadcast stations, particularly Station KTYW, Yakima, Washington and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the operation of Station KSAN as proposed would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

7. To determine whether the installation and operation of Station KSAN as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcasting stations, particularly with reference to the location of the transmitted, blanketing, and the compliance of the proposed antenna and ground system with the minimum requirements of the Commission's Rules and Standards.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance

in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Luther E. Gibson, 516 Marin St., Vallejo, Calif.

Dated at Washington, D. C., December 6, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22467; Filed, Dec. 17, 1945;  
11:34 a. m.]

In re application of Golden Gate Broadcasting Corporation (KSAN), date filed August 10, 1945, for construction permit to change frequency, increase power, and make changes in transmitting equipment and antenna; class of service, broadcast; class of station, broadcast; location, San Francisco, California; operating assignment specified: Frequency, 1460 kc; Power, 1 kw; Hours of operation, Unlimited. Docket No. 6949; File No. B5-P-3913.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b Monterey Bay Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5-P-3889, Docket No. 6953), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), San Jose Broadcasting Co. (File No. B5-P-3921, Docket No. 6955) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate the proposed facilities.
2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KSAN as proposed and the character of other broadcast services available to those areas and populations.
3. To determine whether Station KSAN, operating as proposed, would provide primary service to (a) the business districts, (b) the residential districts, and (c) the metropolitan district of San Francisco as contemplated by the Commission's Standards of Good Engineering Practice.
4. To determine the type of program service proposed to be rendered by KSAN and whether it would meet the requirements of the populations and areas proposed to be served.
5. To determine whether the operation of Station KSAN as proposed would involve objectionable interference with any existing broadcast stations, particularly Station KTYW, Yakima, Washington and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.
6. To determine whether the operation of Station KSAN as proposed would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.
7. To determine whether the installation and operation of Station KSAN as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcasting stations, particularly with reference to the location of the transmitted, blanketing, and the compliance of the proposed antenna and ground system with the minimum requirements of the Commission's Rules and Standards.
8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.
9. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Golden Gate Broadcasting Corporation, Radio Station KSAN, 1355 Market Street, San Francisco, California.

Dated at Washington, D. C., December 6, 1945.

By the Commission,

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22468; Filed, Dec. 17, 1945;  
11:34 a. m.]

[Docket No. 6951]

BAKERSFIELD BROADCASTING CO.

#### NOTICE OF HEARING

In re application of Bakersfield Broadcasting Company (New), date filed, October 3, 1945, for construction permit; class of service, Standard Broadcast; class of station, Standard Broadcast; location, Bakersfield, California; operating assignment specified: Frequency, 1490 kc; Power, 250 w; Hours of operation, unlimited. Docket No. 6951; File No. B5-P-4153.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcasting Corporation (KSAN) (File No. B5-P-3913, Docket No. 6949), California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5-P-3889, Docket No. 6953), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), Luther E. Gibson (File No. B5-P-2787, Docket No. 6243), San Jose Broadcasting Co. (File No. B5-P-3921, Docket No. 6955), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the

availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The address of the applicant is as follows: Bakersfield Broadcasting Company, P. O. Box 1432, Bakersfield, California.

Dated at Washington, D. C., December 6, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22470; Filed, Dec. 17, 1945;  
11:35 a. m.]

[Docket No. 6950]

CALIFORNIA BROADCASTERS, INC.

#### NOTICE OF HEARING

In re application of California Broadcasters, Inc. (New), date filed, September 24, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Bakersfield, California; operating assignment specified: Frequency, 1460 kc; Power, 1 kw.; Hours of operation, Unlimited. Docket No. 6950; File No. B5-P-4076.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcasting Corp. (KSAN) (File No. B5-P-3913, Docket No. 6949), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Cascade

<sup>1</sup> Directional antenna.

Broadcasting Co., Inc. (KTYW) (File No. B5-P-3889, Docket No. 6953), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), Luther E. Gibson (File No. B5-P-2787, Docket No. 6243), San Jose Broadcasting Co. (File No. B5-P-3921, Docket No. 6955) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other standard broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: California Broadcasters, Inc., % Willet H. Brown, President, 5515 Melrose Avenue, Hollywood 38, California.

Dated at Washington, D. C., December 6, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22469; Filed, Dec. 17, 1945;  
11:34 a. m.]



[Docket No. 6952]

## MONTEREY BAY BROADCAST CO.

## NOTICE OF HEARING

In re application of L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Company (New), date filed, October 8, 1945, for construction permit; class of service, standard broadcast; class of station, Standard Broadcast; location, Santa Cruz, Calif.; operating assignment specified: Frequency, 1460 kc; Power, 500 w; Hours of operation, unlimited. Docket No. 6952; File No. B5-P-4150.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcasting Corporation (KSAN) (File No. B5-P-3913, Docket No. 6949), California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5-P-3889, Docket No. 6953), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), Luther E. Gibson (File No. B5-P-2787, Docket No. 6243), San Jose Broadcasting Co. (File No. B5-P-3921, Docket No. 6955) on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and standards of good engineering practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Monterey Bay Broadcast Company, c/o Grant R. Wrathall, 983 National Press Bldg., Washington 4, D. C.

Dated at Washington, D. C., December 6, 1945.

By the Commission,

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22471; Filed, Dec. 17, 1945;  
11:35 a. m.]

[Docket No. 6953]

## CASCADE BROADCASTING CO., INC.

## NOTICE OF HEARING

In re application of Cascade Broadcasting Co., Inc. (KTYW), date filed, July 19, 1945, for construction permit to increase power and change in transmitting equipment; class of service, Broadcast; class of station, Broadcast; location, Yakima, Washington; operating assignment specified: Frequency, 1460 kc; Power, 1 kw; Hours of operation, unlimited. Docket No. 6953; File No. B5-P-3889.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcasting Corporation (KSAN) (File No. B5-P-3913, Docket No. 6949), California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), Luther E. Gibson (File No. B5-P-2787, Docket No. 6243), San Jose Broadcasting Co. (File No. B5-P-3921, Docket No. 6955) on the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KTYW as proposed and the character of other broadcast services available to those areas.

2. To determine the type of program service proposed to be rendered by KTYW and whether it would meet the requirements of the populations and areas proposed to be served.

3. To determine whether Station KTYW operating as proposed would involve objectionable interference with Station CJGX, Yorkton, Saskatchewan, Canada, and if so, the nature and extent thereof.

4. To determine whether the operation of Station KTYW as proposed would involve objectionable interference with any existing broadcast stations in the Central States, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of Station KTYW as proposed would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of Station KTYW as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations, particularly with reference to the location of the transmitter and blanketing.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Cascade Broadcasting Company, Inc., P. O. Box 702, Yakima, Washington.

Dated at Washington, D. C., December 6, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22472; Filed, Dec. 17, 1945;  
11:35 a. m.]

[Docket No. 6954]

## AMPHLETT PRINTING CO.

## NOTICE OF HEARING

In re application of Amphlett Printing Company (New), date filed, August 10, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, San Mateo, California; operating assignment specified: Frequency, 1490 kc; power, 250 w; hours of operation, unlimited. Docket No. 6954; file No. B5-P-3912.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Golden Gate Broadcasting Corporation (KSAN)

(File No. B5-P-3913, Docket No. 6949), California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Cascade Broadcasting Co., Inc. (KTYW), (File No. B5-P-3889, Docket No. 6953), Luther E. Gibson (File No. B5-P-2787, Docket No. 6243), San Jose Broadcasting Co. (File No. B5-P-3921, Docket No. 6955) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Amphlett Printing Company, 145 Second Avenue, San Mateo, California.

Dated at Washington, D. C., December 6, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22473; Filed, Dec. 17, 1945;  
11:35 a. m.]

[Docket No. 6955]

SAN JOSE BROADCASTING CO.

#### NOTICE OF HEARING

In re application San Jose Broadcasting Co. (New), date filed, August 14, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, San Jose, California; operating assignment specified: Frequency, 1500 kc; power, 1 kw; hours of operation, unlimited. Docket No. 6955; File No. B5-P-3921.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of California Broadcasters, Inc. (File No. B5-P-4076, Docket No. 6950), Bakersfield Broadcasting Co. (File No. B5-P-4153, Docket No. 6951), L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co. (File No. B5-P-4150, Docket No. 6952), Cascade Broadcasting Co., Inc. (KTYW) (File No. B5-P-3889, Docket No. 6953), Amphlett Printing Co. (File No. B5-P-3912, Docket No. 6954), Luther E. Gibson (File No. B5-P-2787, Docket No. 6243), Golden Gate Broadcasting Corp. (KSAN) (File No. B5-P-3913, Docket No. 6949) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of

<sup>1</sup> Directional antenna.

Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: San Jose Broadcasting Co., Attention: Joe E. Levitt, 266 South First Street, San Jose, California.

Dated at Washington, D. C., December 6, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22474; Filed, Dec. 17, 1945;  
11:35 a. m.]

[Docket No. 6677]

JOE L. SMITH, JR.

#### NOTICE OF HEARING

In re application of Joe L. Smith, Jr. (New), date filed, July 25, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Charleston, West Virginia; operating assignment specified: Frequency, 1400 kc; power, 250 w; hours of operation, unlimited time. Docket No. 6677; File No. B2-P-3666.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consolidation with the application of Fayette Associates, Inc., Montgomery, West Virginia (File No. B2-P-3876; Docket No. 6817); on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby,

and the availability of other broadcast service to such areas and populations.

5. To determine the nature and extent of any interference which would result from the simultaneous operation of the proposed station and a station at Montgomery, West Virginia, as proposed in the application of Fayette Associates, Inc., (File No. B2-P-3976; Docket No. 6817), the areas and populations affected thereby, and the character of other broadcast service available to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Joe L. Smith, Jr., 608 Woodlawn Avenue, Beckley, West Virginia.

Dated at Washington, D. C., December 6, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22475; Filed, Dec. 17, 1945;  
11:35 a. m.]

[Docket No. 6817]

FAYETTE ASSOCIATES, INC.

#### NOTICE OF HEARING

In re application of Fayette Associates, Incorporated (New), date filed, June 19, 1945, for construction permit; class of service, broadcast; location, Montgomery, West Virginia; operating assignment specified: Frequency, 1400 kc; power, 250 w; hours of operation, unlimited time. Docket No. 6817; File No. B2-P-3876.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consoli-

dation with the application of Joe L. Smith, Jr., Charleston, West Virginia (File No. B2-P-3666; Docket No. 6677), on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the nature and extent of any interference which would result from the simultaneous operation of the proposed station and a station at Charleston, West Virginia, as proposed in the application of Joe L. Smith, Jr. (File No. B2-P-3666; Docket No. 6677), the areas and populations affected thereby, and the character of other broadcast service available to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Fayette Associates, Incorporated, Montgomery, West Virginia.

Dated at Washington, D. C., December 6, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22476; Filed, Dec. 17, 1945;  
11:36 a. m.]

[Docket No. 6706]

MARSHALL BROADCASTING CO.

#### NOTICE OF HEARING

In re application of Marshall Broadcasting Company (new), date filed, August 11, 1944, for construction permit; class of service, broadcast; location, Marshall, Texas; operating assignment specified: Frequency, 1450 kc; power, 250 w; hours of operation, unlimited. Docket No. 6706; file No. B3-P-3675.

You are hereby notified that the Commission has re-examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of KVOM, Inc. (File No. B3-P-3717, Docket No. 6707), on the following amended issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To obtain full information with respect to all radio and other business interests of the applicant, its officers, directors, and stockholders.

3. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

4. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

5. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant's address is as follows: Marshall Broadcasting Company, Incorporated, c/o Riley Cross, News-Messenger Building, N. Washington St., Marshall, Texas.

Dated at Washington, D. C., December 7, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22477; Filed, Dec. 17, 1945;  
11:36 a. m.]

[Docket No. 6707]

KVOM, INC.

#### NOTICE OF HEARING

In re application of Kvom, Incorporated (New), date filed, October 4, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Marshall, Texas; operating assignment specified: Frequency, 1450 kc; Power, 250 w; Hours of operation, unlimited. Docket No. 6707; File No. B3-P-3717.

You are hereby notified that the Commission has re-examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Marshall Broadcasting Company (File No. B3-P-3675, Docket No. 6706), on the following amended issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations, and in particular whether the populations included in the predicted 250 mv/m and 500 mv/m contours of the station would exceed the blanket area maximum permitted under the Commission's standards.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant's address is as follows: KVOM, Incorporated, 308 West Houston Street, Marshall, Texas.

Dated at Washington, D. C., December 7, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22478; Filed, Dec. 17, 1945;  
11:36 a. m.]

[Docket No. 6834]

ARKANSAS-OKLAHOMA BROADCASTING CORP.

#### NOTICE OF HEARING

In re application of Arkansas-Oklahoma Broadcasting Corporation (new), date filed, October 1, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Fort Smith, Arkansas; operating assignment specified: Frequency, 1230 kc; power, 250 w; hours of operation, unlimited time. Docket No. 6834; File No. B3-P-4034.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Donald W. Reynolds, Fort Smith, Arkansas (File No. B3-P-3772; Docket No. 6835), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the

Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Arkansas-Oklahoma Broadcasting Corporation, Attention R. A. Young, Jr., Kelley Building, Fort Smith, Arkansas.

Dated at Washington, D. C., December 5, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22479; Filed, Dec. 17, 1945;  
11:36 a. m.]

[Docket 6835]

DONALD W. REYNOLDS

#### NOTICE OF HEARING

In re application of Donald W. Reynolds (New), date filed, November 10, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Fort Smith, Arkansas; operating assignment specified: Frequency, 1230 kc; power, 250 w; hours of operation, unlimited time. Docket No. 6835; File No. B3-P-3772.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of the Arkansas-Oklahoma Broadcasting Corporation, Fort Smith, Arkansas (File No. B3-P-4034; Docket No. 6834), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas

and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which of any of the applications in this consolidated proceedings should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Donald W. Reynolds, 505 Rogers Avenue, Fort Smith, Arkansas.

Dated at Washington, D. C., December 5, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22480; Filed, Dec. 17, 1945;  
11:36 a. m.]

[Docket No. 6836]

JAMES H. MCKEE

#### NOTICE OF HEARING

In re application of James H. McKee (New), date filed, October 19, 1944; for, construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Charleston, W. Va.; operating assignment specified: Frequency 1240 kc; power 250 w; hours of operation unlimited time. Docket No. 6836; File No. B2-P-3738.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of The Capitol Broadcasting Corporation (File No. B2-P-3779, Docket No. 6837); and Gus Zaharis and Penelope Zaharis d/b as Chemical City Broadcasting Company (File No. B2-P-3841, Docket No. 6838), on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: James H. McKee, 1010, Sheridan Road, Evanston, Illinois.

Dated at Washington, D. C., December 7, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22481; Filed, Dec. 17, 1945;  
11:37 a. m.]

[Docket No. 6837]

CAPITOL BROADCASTING CORP.

#### NOTICE OF HEARING

In re application of Capitol Broadcasting Corp. (New), date filed, November 24, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Charleston, West Virginia; operating assignment specified: Frequency 1240 kc; Power 250 w; Hours of operation unlimited time. Docket No. 6837; File No. B2-P-3779.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of James H. McKee (File No. B2-P-3738, Docket No. 6836) and Gus Zaharis and Penelope Zaharis d/b as the Chemical City Broadcasting Company (File No. B2-P-3841, Docket No. 6838) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Capitol Broadcasting Corporation, Post Office Box 2791, Charleston, West Virginia.

Dated at Washington, D. C., December 7, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22482; Filed, Dec. 17, 1945;  
11:37 a. m.]



[Docket No. 6838]

## CHEMICAL CITY BROADCASTING CO.

## NOTICE OF HEARING

In re application of Gus Zaharis & Penelope Zaharis, d/b as Chemical City Broadcasting Company (New), date filed December 22, 1944, for construction permit, class of service, broadcast; class of station, broadcast; location, Charleston, West Virginia; operating assignment specified: Frequency, 1240 kc.; Power, 250 w.; Hours of operation, unlimited time. Docket No. 6838; File No. B2-P-3841.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of James H. McKee (File No. B2-P-3738, Docket No. 6836) and the Capitol Broadcasting Corporation (File No. B2-P-3779, Docket No. 6837), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership, and of its members, to construct and operate the proposed station.
  2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.
  3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
  4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
  5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
  6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.
  7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.
  8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.
- The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Gus Zaharis and Penelope Zaharis, d/b as Chemical City Broadcasting Co., 411 Kenna Drive, South Charleston 3, West Virginia.

Dated at Washington, D. C., December 7, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22483; Filed, Dec. 17, 1945; 11:37 a. m.]

[Docket No. 6839]

## COAST VENTURA CO.

## NOTICE OF HEARING

In re Application of Coast Ventura Company, (New), date filed, October 13, 1945, for construction permit; class of service, broadcast; class of station, broadcast; location, Ventura, California; operating assignment specified: Frequency, 1450 kc.; Power, 250 w.; Hours of operation, unlimited time. Docket No. 6839; File No. B5-P-3725.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Ventura Broadcasters, Inc. (File No. B5-P-3807, Docket No. 6840), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant, its officers, directors and stockholders, to construct and operate the proposed station.
2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Coast Ventura Company, Room 534, 650 South Spring Street, Los Angeles 14, California.

Dated at Washington, D. C. December 6, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22484; Filed, Dec. 17, 1945; 11:37 a. m.]

[Docket No. 6840]

## VENTURA BROADCASTERS, INC.

## NOTICE OF HEARING

In re application of Ventura Broadcasters, Inc. (New), date filed, November 29, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Ventura, California; operating assignment specified: Frequency, 1450 kc; power, 250 w; hours of operation, unlimited time. Docket No. 6840, File No. B5-P-3807.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Coast Ventura Company (File No. B5-P-3725, Docket No. 6839) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant, its officers, directors, and stockholders, to construct and operate the proposed station.
2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Ventura Broadcasters, Inc., 44 North Kalorama Street, Ventura, California.

Dated at Washington, D. C., December 6, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22485; Filed, Dec. 17, 1945;  
11:37 a. m.]

[Docket No. 6841]

#### HUNTINGTON BROADCASTING CORP.

##### NOTICE OF HEARING

In re application of Huntington Broadcasting Corporation (New), date filed, October 25, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Huntington, West Virginia; operating assignment specified: frequency, 1450 kc; power, 250 w; hours of operation, unlimited. Docket No. 6841, File No. B2-P-3741.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Greater Huntington Radio Corporation (File No. B2-P-3826, Docket No. 6842), on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of

other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station WPAR, Parkersburg, West Virginia, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Huntington Broadcasting Corporation, c/o F. J. Evans, 1811 Kite Avenue, Huntington, West Virginia.

Dated at Washington, D. C., December 7, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22486; Filed, Dec. 17, 1945;  
11:38 a. m.]

[Docket No. 6842]

#### GREATER HUNTINGTON RADIO CORP.

##### NOTICE OF HEARING

In re application of Greater Huntington Radio Corporation (New), date filed, December 14, 1944, for construction per-

mit; class of service, broadcast; class of station, broadcast; location, Huntington, West Virginia; operating assignment specified: Frequency, 1450 kc.; Power, 250 w.; Hours of operation, unlimited. Docket No. 6842, File No. B2-P-3826.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Huntington Broadcasting Corporation (File No. B2-P-3741, Docket No. 6841) on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station WPAR, Parkersburg, West Virginia, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with any other existing broadcast station and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The Applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of

the Commission's rules of practice and procedure.

The applicant's address is as follows: Greater Huntington Radio Corporation, % S. J. Hyman, 724 Fourth Avenue, Huntington, West Virginia.

Dated at Washington, D. C., December 7, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22487; Filed, Dec. 17, 1945;  
11:38 a. m.]

[Docket No. 6912]

#### SYRACUSE BROADCASTING CORP.

##### NOTICE OF HEARING

In re application of Syracuse Broadcasting Corp. (New), date filed, October 8, 1945, for, construction permit, class of service, standard broadcast; class of station, standard broadcast; location, Syracuse, New York; operating assignment specified: Frequency, 1260 kc; power, 5 kw<sup>1</sup> Night, 5 kw Day, hours of operation, unlimited time. Docket No. 6912, File No. B1-P-4114.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of WLEU Broadcasting Corporation, Erie, Pennsylvania, (File No. B1-P-4115, Docket No. 6913), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the operation of Station WLEU as proposed in the application of WLEU Broadcasting Corporation (Docket No. 6913) or with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the

Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Syracuse Broadcasting Corporation, 306 South Salina Street, Syracuse, New York.

Dated at Washington, D. C., December 7, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22488; Filed, Dec. 17, 1945;  
11:38 a. m.]

[Docket No. 6913]

#### WLEU BROADCASTING CORP.

##### NOTICE OF HEARING

In re application of WLEU Broadcasting Corporation (WLEU), date filed, October 5, 1945, for construction permit to change frequency, increase power, install new transmitter and D. A. for night use and change transmitter location; class of service, standard broadcast; class of station, standard broadcast; location, Erie, Pennsylvania; operating assignment specified: Frequency, 1260 kc; power, 1 kw<sup>1</sup> night, 5 kw day; hours of operation, unlimited time. Docket No. 6913, File No. B1-P-4115.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Syracuse Broadcasting Corporation, Syracuse, New York (File No. B1-P-4114, Docket No. 6912), on the following issues:

1. To determine the technical, financial and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate Station WLEU as proposed.

2. To determine the areas and populations which may be expected to gain primary service from the proposed operation of Station WLEU and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the proposed operation of Station WLEU would involve objectionable interference with the operation of Station WERC, Erie, Pennsylvania, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operation of Station WLEU would involve objectionable interference with any other existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed operation of Station WLEU would involve objectionable interference with the operation of a new station at Syracuse, New York, as proposed in the application of Syracuse Broadcasting Corporation (Docket No. 6912) or with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: WLEU Broadcasting Corporation, Commercial Building, 12th and State Streets Erie, Pennsylvania.

Dated at Washington, D. C., December 7, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22489; Filed, Dec. 17, 1945;  
11:38 a. m.]

[Docket No. 6928]

#### FM RADIO AND TELEVISION CORP.

##### NOTICE OF HEARING

In re application of FM Radio and Television Corporation (New); date filed, August 20, 1945, for, construction permit; class of service, standard broadcast; class of station, standard broad-

<sup>1</sup>Directional antenna for night use.

<sup>1</sup>Directional antenna for night use.

cast; location, San Jose, California; operating assignment specified: frequency, 1370 kc; power, 500 w night, 1 kw day; hours of operation, unlimited time. Docket No. 6928, File No. B5-P-4133.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Broadcasters, Inc. (File No. B5-P-4134, Docket No. 6929), United Broadcasting Company, a Co-Partnership composed of George Mardikian, George Snell, Barnard Floyd Farr, S. A. Melnicoe and Alfred Aram (File No. B5-P-4061, Docket No. 6930), DeHaven, Hall and Oates (File No. B5-P-4135, Docket No. 6931), Valley Broadcasting Company (File No. B5-P-4015, Docket No. 6932), Central California Broadcasters, Inc. (KRE) (File No. B5-P-3982, Docket No. 6933) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders to construct and operate the proposed station.
2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to these areas and populations.
3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.
5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.
6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.
7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.
8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The Applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the pro-

visions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: FM Radio & Television Corporation, % Willard L. Gleeson, P. O. Box 987, Riverside, California.

Dated at Washington, D. C., December 10, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22490; Filed, Dec. 17, 1945; 11:38 a. m.]

[Docket No. 6929]

BROADCASTERS, INC.

NOTICE OF HEARING

In re application of Broadcasters, Inc. (new), date filed, October 15, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, San Jose, California; operating assignment specified: Frequency, 1370 kc, Power, 1 kw night,<sup>1</sup> 1 kw day;<sup>2</sup> Hours of operation, unlimited time. Docket No. 6929, File No. B5-P-4134.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of FM Radio and Television Corporation (File No. B5-P-4133, Docket No. 6928), United Broadcasting Company, a Co-Partnership composed of George Mardikian, George Snell, Barnard Floyd Farr, S. A. Melnicoe and Alfred Aram (File No. B5-P-4061, Docket No. 6930), DeHaven, Hall and Oates (File No. B5-P-4135, Docket No. 6931), Valley Broadcasting Company (File No. B5-P-4015, Docket No. 6932), Central California Broadcasters, Inc. (KRE) (File No. B5-P-3982, Docket No. 6933) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders to construct and operate the proposed station.
2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.
3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.
5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for

<sup>1</sup> Directional antenna day and night.

broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Broadcasters, Inc., c/o Frank Quement, 156 West San Fernando St., San Jose, California.

Dated at Washington, D. C., December 10, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22491; Filed, Dec. 17, 1945; 11:38 a. m.]

[Docket No. 6930]

UNITED BROADCASTING CO.

NOTICE OF HEARING

In re application of United Broadcasting Company, a co-partnership composed of George Mardikian, George Snell, Barnard Floyd Farr, S. A. Melnicoe and Alfred Aram. (NEW), date filed, September 28, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, San Jose, California; operating assignment specified: Frequency, 1380 kc; power, 250 w; hours of operation, unlimited time. Docket No. 6930, File No. B5-P-4061.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of FM Radio and Television Corporation (File No. B5-P-4133, Docket No. 6928), Broadcasters, Inc. (File No. B5-P-4134, Docket No. 6929), DeHaven, Hall and Oates (File No. B5-P-4135, Docket No. 6931), Valley Broadcasting Company (File No. B5-P-4015, Docket No. 6932), Central California Broadcasters, Inc. (KRE) (File No. B5-P-3982, Docket No. 6933) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the

applicant partnership, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: United Broadcasting Company, 401 South 16th Street, San Jose, California.

Dated at Washington, D. C., December 10, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22492; Filed, Dec. 17, 1945;  
11:39 a. m.]

[Docket No. 6931]

DEHAVEN, HALL AND OATES

#### NOTICE OF HEARING

In re application of DeHaven, Hall and Oates (New), date filed, October 8, 1945; for, construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Salinas,

California; operating assignment specified: Frequency, 1380 kc; power, 1 kw night, 1 kw day; hours of operation, unlimited time. Docket No. 6931, File No. B5-P-4135.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of FM Radio and Television Corporation (File No. B5-P-4133, Docket No. 6928), Broadcasters, Inc. (File No. B5-P-4134, Docket No. 6929), United Broadcasting Company, a Co-Partnership composed of George Mardikian, George Snell, Barnard Floyd Farr, S. A. Melnicoe and Alfred Aram (File No. B5-P-4061, Docket No. 6930), Valley Broadcasting Company (File No. B5-P-4015, Docket No. 6932), Central California Broadcasters, Inc. (KRE) (File No. B5-P-3982, Docket No. 6933) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The Applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142

of the Commission's rules of practice and procedure.

The applicant's address is as follows: DeHaven, Hall and Oates, P. O. Box 9, Fresno, California.

Dated at Washington, D. C., December 10, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22493; Filed, Dec. 17, 1945;  
11:39 a. m.]

[Docket No. 6932]

VALLEY BROADCASTING CO.

#### NOTICE OF HEARING

In the application of Valley Broadcasting Company (New), date filed, September 25, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Sacramento, California; operating assignment specified: Frequency, 1380 kc; power, 1 kw night, 1 kw day; hours of operation, unlimited time. Docket No. 6932; File No. B5-P-4015.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of FM Radio and Television Corporation (File No. B5-P-4133, Docket No. 6928), Broadcasters, Inc. (File No. B5-P-4134, Docket No. 6929), United Broadcasting Company, a Co-Partnership composed of George Mardikian, George Snell, Barnard Floyd Farr, S. A. Melnicoe and Alfred Aram (File No. B5-P-4061, Docket No. 6930), DeHaven, Hall and Oates (File No. B5-P-4135, Docket No. 6931), Central California Broadcasters, Inc. (KRE) (File No. B5-P-3982, Docket No. 6933) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other standard broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

<sup>1</sup> Directional antenna for night use.



ability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The Applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Valley Broadcasting Company, c/o Lincoln Dellar, 1617 30th Street, Sacramento, California.

Dated at Washington, D. C., December 10, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22494; Filed, Dec. 17, 1945;  
11:39 a. m.]

[Docket No. 6933]

CENTRAL CALIFORNIA BROADCASTERS, INC.  
NOTICE OF HEARING

In re application of Central California Broadcasters, Inc. (KRE), date filed, September 14, 1945, for construction permit to change frequency, increase power, and install new transmitter and D. A. for night use; class of service, standard broadcast; class of station, standard broadcast; location, Berkeley, California; operating assignment specified: Frequency, 1380 kc; power, 1 kw night, 1 kw day; hours of operation, unlimited. Docket No. 6933, File No. B5-P-3982.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of FM Radio and Television Corporation (File No. B5-P-4133, Docket No. 6928), Broadcasters, Inc. (File No. B5-P-4134, Docket No. 6929), United Broadcasting Company, a Co-Partnership composed of George Mardikian, George Snell, Barnard Floyd Farr, S. A. Melnicoe and Alfred Aram (File No. B5-P-4061, Docket No. 6930), DeHaven, Hall and Oates (File No. B5-P-4135, Docket No. 6931), Valley Broadcasting Company (File No. B5-P-4015, Docket No. 6932) on the following issues:

1. To determine the technical, financial and other qualifications of the applicant

<sup>1</sup> Directional Antenna for night use.

corporation, and of its officers, directors and stockholders, to operate Station KRE as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KRE as proposed and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered by Station KRE and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of Station KRE as proposed would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of Station KRE as proposed would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of Station KRE as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system of Station KRE as proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Central California Broadcaster's Inc. (KRE), 601 Ashby Avenue, Berkeley, California.

Dated at Washington, D. C., December 10, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22495; Filed, Dec. 17, 1945;  
11:39 a. m.]

[Docket No. 7011]

BREMERTON BROADCAST CO.

NOTICE OF HEARING

In re application of Bruce Bartley and F. L. Pruitt d/b as Bremerton Broadcasting Company (New), date filed, September 20, 1945; for construction permit;

class of service, standard broadcast; class of station, standard broadcast; location, Seattle, Washington; operating assignment specified: Frequency, 1250 kc; power, 250 w; hours of operation, unlimited time. Docket No. 7011, File No. B5-P-4031.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and of its members to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with broadcast stations KTW, Seattle, Washington; KGY, Olympia, Washington; and CKNW, New Westminster, B. C.; the nature and extent thereof, the areas and population affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed transmitter site would be in compliance with the Commission's rules and Standards of Good Engineering Practice, with particular reference to blanketing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Bremerton Broadcast Company, 1130 Henry Building, Seattle 1, Washington.

Dated at Washington, D. C., December 7, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22496; Filed, Dec. 17, 1945;  
11:39 a. m.]

[Docket No. 7012]

DIAMOND STATE BROADCAST CORP.

NOTICE OF HEARING

In re application of Diamond State Broadcast Corporation (New), for construction permit, date filed, October 8, 1945; class of service, standard broadcast; class of station, standard broadcast; location, Dover, Delaware; operating assignment specified: Frequency, 1340 kc; power, 250 w; hours of operation, unlimited time. Docket No. 7012, File No. B3-P-4217.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with broadcast stations WTEN, WHAT, Philadelphia, Pennsylvania, and station WINX, Washington, D. C., and if so, the nature and extent thereof, the areas and population affected thereby, and the availability of other broadcast service to such areas and populations.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Diamond State Broadcast Corporation, 309 South State Street, Dover, Delaware.

Dated at Washington, D. C., December 7, 1945.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-22497; Filed, Dec. 17, 1945;  
11:39 a. m.]

#### FOREIGN-TRADE ZONES BOARD.

[Order 11]

CITY OF NEW YORK -

TRANSFER OF FOREIGN-TRADE ZONE OPERATIONS FROM PIER NO. 53, NORTH RIVER, MANHATTAN, TO PIER NO. 16, STATEN ISLAND

In the matter of the application of the City of New York for authority to transfer foreign-trade zone operations from Pier No. 53, North River, Borough of Manhattan to Pier No. 16, Staten Island, during the present emergency.

Pursuant to the authority contained in the act of June 18, 1934, (48 Stat. 998; 19 U.S.C. 81-a-81-u), the Foreign-Trade Zones Board has adopted the following order which is promulgated for the information and guidance of all concerned:

Upon application of the City of New York, dated November 5, 1945, through its Mayor, F. H. LaGuardia, the Foreign-Trade Zones Board herewith approves

the City's request that Pier No. 16, Staten Island, be designated as a suitable site where temporary zone operations shall be carried on during the present emergency, and during this period of temporary occupancy will be deemed to be within Foreign-Trade Zones No. 1, *Provided*, The City of New York segregate this area and the structure thereon to comply with the requirements of the Collector of Customs of the Port of New York.

Foreign-Trade Zone privileges authorized on Pier No. 53, North River, under Order No. 9, effective June 23, 1943 (8 F.R. 8885) are withdrawn effective on the date that all goods currently stored thereon have been removed.

This order is effective December 12, 1945.

[SEAL] H. A. WALLACE,  
Chairman.

[F. R. Doc. 45-22530; Filed, Dec. 17, 1945;  
12:27 p. m.]

#### INTERSTATE COMMERCE COMMISSION.

[Rev. S. O. 392]

##### EMBARGO OF LESS CARLOAD FREIGHT AT KANSAS CITY, MO.-KANS.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of December, A. D. 1945.

It appearing, that a strike of truck lines is causing congestion of freight houses of rail carriers serving Kansas City, Mo.-Kansas, and that the said rail carriers are unable to accept certain less-than-carload traffic offered to them for movement over their lines; the Commission is of the opinion an emergency exists requiring immediate action at those points to avoid congestion of traffic, and to best promote the service in the interest of the public and the commerce of the people it is ordered, that:

*Embargo of Less Carload Freight at Kansas City.* (a) No common carrier by railroad subject to the Interstate Commerce Act serving Kansas City, Missouri-Kansas, shall accept any outbound less-than-carload shipment of freight at those points, except perishables.

(b) *Effective date.* This order shall become effective at 12:01 a. m., December 17, 1945.

(c) *Expiration date.* This order shall expire at 11:59 p. m., December 25, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418, 41 Stat. 476, 485; sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall vacate and supersede Service Order No. 392 on the effective date hereof; that copies of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it

with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-22581; Filed, Dec. 18, 1945;  
10:53 a. m.]

[S. O. 407]

##### UNLOADING OF COMMODITIES AT ST. LOUIS, MO.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of December A. D. 1945.

It appearing, that cars CN 485504, NYC 135401 and NYC 175720 containing coffee, and car PRR 42174 containing glass jars at St. Louis, Missouri, on the Terminal Railroad Association of St. Louis, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that,

*Box cars at St. Louis, Missouri, be unloaded.* (a) The Terminal Railroad of St. Louis, its agents or employees, shall unload forthwith cars CN 485504, NYC 135401 and NYC 175720 containing coffee, and car PRR 42174 containing glass jars, on hand at St. Louis, Missouri, consigned to H & P Coffee Company:

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Terminal Railroad Association of St. Louis and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-22582; Filed, Dec. 18, 1945;  
10:53 a. m.]

[S. O. 408]

##### UNLOADING OF GONDOLA CARS AT SAN FRANCISCO BAY AREA, CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of December, A. D. 1945.

It appearing, that numerous gondola cars containing various commodities at San Francisco Bay Area, California, on the Southern Pacific Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered that:

*Gondola cars at San Francisco Bay Area, Calif., be unloaded.* (a) The Southern Pacific Company, its agents or employees, shall unload forthwith the following cars loaded with various commodities now on hand at San Francisco Bay Area, California, consigned to various consignees:

Initial and number:	Contents
PRR 361587	Steel.
RDG 21861	Steel.
CBL 108	Steel.
RDG 23862	Steel.
NYC 603533	Steel.
PLE 42569	Steel.
B&O 252824	Steel.
SP 54386	Bones.
SP 90439	Bones.
SP 96981	Bones.
PRR 343493	Bollers.
NYC 642527	Bones.
UP 98018	Bones.
ATSF 170954	Bones.
PRR 304812	Bones.
B&M 93042	Pipe.
B&O 350122	Pipe.
B&O 350334	Pipe.
WLE 74221	Pipe.
EJE 33971	Pipe.
NKP 71692	Pipe.
PLE 40682	Pipe.
B&O 255292	Pipe.
NKP 70149	Pipe.
LT 2039	Pipe.
SP 95453	Cinders.
MILW 361260	Pipe.
SP 53607	Superheaters.
NYC 638872	Steel.
B&O 252939	Steel.
B&O 257956	Steel.
TNO 42459	Steel.
BLE 36026	Steel.
MP 71768	Steel.
UCR 21679	Steel.
DRG 50063	Steel.
L&N 73958	Steel.
PE 25012	Steel.
DRG 32252	Steel.
NYC 278926	Steel.
DRG 50231	Steel.
DRG 50079	Steel.
SOU 177135	Steel.
PE 20051	Steel.
TNO 42543	Steel.
BLE 36354	Steel.
ATSF 81840	Steel.
CBQ 87313	Steel.
DRG 50345	Steel.
DRG 50027	Steel.
NYC 616810	Steel.
BLE 46501	Steel.

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that

a copy of this order and direction shall be served upon The Southern Pacific Company, and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-22583; Filed, Dec. 18, 1945; 10:53 a. m.]

[S. O. 409]

#### UNLOADING OF PIPE AT SAN FRANCISCO BAY AREA, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of December, A. D. 1945.

It appearing, that numerous gondola cars containing pipe at San Francisco Bay Area, California, on The Atchison, Topeka and Santa Fe Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, that:

*Pipe at San Francisco Bay Area, California, be unloaded.* (a) The Atchison, Topeka and Santa Fe Railway Company, its agents or employees, shall unload forthwith the following cars of pipe now on hand at San Francisco Bay Area, California, consigned to various consignees:

Initial and number:	Contents
PA 800220	Pipe.
PA 347336	Pipe.
LV 32201	Pipe.
SFE 172554	Pipe.
PA 344387	Pipe.
C&O 29904	Pipe.

(b) *Notice and expiration.* Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the Atchison, Topeka and Santa Fe Railway Company, and upon the Association of American Railroads, Car Service Division, as Agent of the Railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with

the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-22584; Filed, Dec. 18, 1945; 10:54 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5421]

HENRY LEONHARDY

In re: Bank account owned by Henry Leonhardy.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Henry Leonhardy, whose last known address is Signaster 4, Nuernberg, Germany, is a national of designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Henry Leonhardy, by Manufacturers Trust Company, 55 Broad Street, New York, New York, arising out of a dollar account, entitled Henry Leonhardy, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice

of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22513; Filed, Dec. 17, 1945;  
11:47 a. m.]

[Vesting Order 5425]

CARL F. PLUMP & Co.

In re: Bank account owned by Carl F. Plump & Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Carl F. Plump & Co., the last known address of which is Bremen, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Carl F. Plump & Co., by Manufacturers Trust Company, 55 Broad Street, New York, New York, arising out of a dollar account, entitled Carl F. Plump & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22514; Filed, Dec. 17, 1945;  
11:47 a. m.]

[Vesting Order 5427]

LEVINSKI RETSLAFF & Co.

In re: Bank account owned by Levinski Retslaff & Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Levinski Retslaff & Co., the last known address of which is Berlin, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Levinski Retslaff & Co., by Guaranty Trust Company of New York, New York, New York, arising out of an unrepresented foreign draft account, entitled Levinski Retslaff & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22515; Filed, Dec. 17, 1945;  
11:47 a. m.]

[Vesting Order 5428]

MASAMI SAGISAKA

In re: Bank account owned by Masami Sagisaka.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Masami Sagisaka, whose last known address is Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Masami Sagisaka, by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled Masami Sagisaka, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and

when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22516; Filed, Dec. 17, 1945;  
11:47 a. m.]

[Vesting Order 5430]

B. SIMONS & Co.

In re: Bank account owned by B. Simons & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That B. Simons & Company, the last known address of which is Duesseldorf, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to B. Simons & Company, by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled B. Simons & Company, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power

of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22517; Filed, Dec. 17, 1945;  
11:47 a. m.]

[Vesting Order 5431]

SPONHOLZ & Co.

In re: Bank account owned by Sponholz & Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Sponholz & Co., the last known address of which is Berlin, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Sponholz & Co., by Guaranty Trust Company of New York, New York, New York, arising out of an unrepresented foreign draft account, entitled Sponholz & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be

deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22518; Filed, Dec. 17, 1945;  
11:48 a. m.]

[Vesting Order 5432]

R. E. STROTHMANN

In re: Bank account owned by R. E. Strothmann.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That R. E. Strothmann, whose last known address is c/o Wilhelm Strothmann, Minden, Westphalia, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to R. E. Strothmann, by Chemical Bank & Trust Company, 165 Broadway, New York, New York, arising out of a dollar account, entitled R. E. Strothmann, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an ap-



propriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions; nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22519; Filed, Dec. 17, 1945;  
11:48 a. m.]

[Vesting Order 5433]

HIDETOSHI TANIMURA

In re: Bank account owned by Hidetoshi Tanimura.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hidetoshi Tanimura, whose last known address is c/o Showa Tsusho Kaisha, Ltd., Tokyo, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Hidetoshi Tanimura, by Chemical Bank & Trust Company, 165 Broadway, New York, New York, arising out of a dollar account, entitled Hidetoshi Tanimura, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold

or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22520; Filed, Dec. 17, 1945;  
11:48 a. m.]

[Vesting Order 5434]

THURINGIA VERSICHERUNGS, A. G.

In re: Bank account owned by Thuringia Versicherungs, Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Thuringia Versicherungs Aktiengesellschaft, the last known address of which is Erfurt, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Thuringia Versicherungs, Aktiengesellschaft, by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled Thuringia Versicherungs Aktiengesellschaft, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification,

and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22521; Filed, Dec. 17, 1945;  
11:48 a. m.]

[Vesting Order 5448]

DR. H. F. ALBERT

In re: Bank account owned by Dr. H. F. Albert.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Dr. H. F. Albert, whose last known address is Bellevuestr., 16, Berlin, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Dr. H. F. Albert, by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled Dr. H. F. Albert, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest

of the United States requires that such person be treated as a national of a designated enemy country (Germany):—

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 5, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22522; Filed, Dec. 17, 1945;  
11:48 a. m.]

[Vesting Order 5449].

DEUTSCHE SUDAMERIKANISCHE BANK, A. G.

In re: Bank account owned by Deutsche Sudamerikanische Bank, Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Deutsche Sudamerikanische Bank, Aktiengesellschaft, the last known address of which is Mohrenstr. 20/21, Berlin, W. 8, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Sudamerikanische Bank, Aktiengesellschaft, by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled Deutsche Sudamerikanische Bank, Aktiengesellschaft, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 5, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22523; Filed, Dec. 17, 1945;  
11:48 a. m.]

[Vesting Order 5450]

DEUTSCHE VERKEHRS-KREDIT-BANK, A. G.

In re: Bank account owned by Deutsche Verkehrs-Kredit-Bank, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Deutsche Verkehrs-Kredit-Bank, A. G., the last known address of which is Charlottenstrasse 44/45, Berlin, N. W. 7, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Verkehrs-Kredit-Bank, A. G., by

Guaranty Trust Company of New York, New York, New York, arising out of a dollar account, entitled Deutsche Verkehrs-Kredit-Bank, A. G., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 5, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-22524; Filed, Dec. 17, 1945;  
11:49 a. m.]

[Vesting Order 5451]

FORTUNA RUCKVERSICHERUNGS, A. G.

In re: Bank account owned by Fortuna Ruckversicherungs, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Fortuna Ruckversicherungs, A. G., the last known address of which is Schiller-

strasse, 4 Erfurt, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Fortuna Ruckversicherungs, A. G., by Guaranty Trust Company of New York, New York, New York, arising out of a dollar account entitled Fortuna Ruckversicherungs, A. G., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 5, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-22525; Filed, Dec. 17, 1945;  
11:49 a. m.]

[Vesting Order 5455]

RHENIS DISKONTOBANK

In re: Bank account owned by Rhenis Diskontobank.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Rhenis Diskontobank, the last known address of which is Dusseldorf, Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Rhenis Diskontobank, by Guaranty Trust Company of New York, New York, New York, arising out of an unrepresented foreign draft account entitled Rhenis Diskontobank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 5, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-22526; Filed, Dec. 17, 1945;  
11:49 a. m.]

[Vesting Order No. 5450]

SANWA BANK, LTD.

In re: Bank account owned by The Sanwa Bank, Limited.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That The Sanwa Bank, Limited, the last known address of which is P. O. Box No. 137—Central, Osaka, Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to The Sanwa Bank, Limited, by Guaranty Trust Company of New York, 140 Broadway, New York, New York, arising out of a dollar account, entitled The Sanwa Bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 5, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-22527; Filed, Dec. 17, 1945;  
11:49 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[MPR 64, Order 205]

GEO. D. ROPER CORP.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64; *It is ordered:*

(a) This order establishes maximum prices for sales at retail of the eight models of gas ranges listed below manufactured by the Geo. D. Roper Corporation, Blackhawk Park Avenue, Rockford, Illinois. For sales in each zone by retail dealers to ultimate consumers, the maximum prices including the Federal excise tax, but not including any state or local taxes imposed at the point of sale are those set forth below:

Model	Maximum prices for sales to ultimate consumers			
	Zone 1	Zone 2	Zone 3	Zone 4
5-200.....	Each \$79.95	Each \$81.50	Each \$82.75	Each \$83.95
5-7304.....	163.75	173.50	177.50	181.25
45-7304.....	191.50	199.25	203.25	206.75
5-7306.....	179.50	184.25	188.50	191.95
45-7306.....	205.25	209.95	213.95	217.75
5-7310.....	187.75	192.75	197.25	200.95
5-3804.....	129.95	133.50	136.75	139.50
45-3804.....	144.95	148.50	151.50	154.25

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his maximum price by deducting \$6.00 from the maximum price shown above for his sales on an installed basis. In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

(b) The manufacturer shall, before delivering any range covered by this order, after the effective date thereof, attach securely to the inside oven door panel a label which plainly states the OPA retail ceiling prices established by this order for sales of the range to ultimate consumers in each zone together with a list of the states included in each zone. The label shall also state that the retail prices shown thereon include the Federal excise tax, delivery and installation, and that if the seller does not provide installation, the maximum price is \$6.00 less than the price shown on the label.

(c) For purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1: Wisconsin, Michigan, Illinois and Indiana.

Zone 2: North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Iowa, Missouri, Arkansas, Mississippi, Tennessee, Kentucky, Ohio, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Alabama, District of Columbia, Delaware, Maryland, New Jersey, Pennsylvania, New York, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

Zone 3: Montana, Wyoming, Colorado, Texas, Louisiana, Florida, and Maine.

Zone 4: Washington, Idaho, Utah, Arizona, California, Nevada, Oregon, and New Mexico.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of December 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22501; Filed, Dec. 17, 1945;  
11:44 a. m.]

[MPR 64, Order 206]

DETROIT-MICHIGAN STOVE CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64; *It is ordered:*

(a) This order establishes maximum prices for sales at retail of the four models of gas ranges listed below manufactured by the Detroit-Michigan Stove Company, Detroit 31, Michigan. For sales in each zone by retail dealers to ultimate consumers, the maximum prices, including the Federal excise tax, but not including any state or local taxes imposed at the point of sale are those set forth below:

Model	Maximum prices for sales to ultimate consumers			
	Zone 1	Zone 2	Zone 3	Zone 4
44-7157.....	Each \$32.25	Each \$31.75	Each \$31.25	Each \$30.95
44-4157.....	92.25	91.75	91.25	90.95
44-7157C.....	93.05	92.25	91.05	90.75
44-4157C.....	93.05	92.25	91.05	90.75

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his maximum price by deducting \$6.00 from the maximum price shown above for his sales on an installed basis. In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

(b) The manufacturer shall, before delivering any range covered by this order, after the effective date thereof, attach securely to the inside oven door panel a label which plainly states the OPA retail ceiling prices established by this order for sales of the range to ultimate consumers in each zone together with a list of the states included in each zone. The label shall also state that the retail prices shown thereon include the Federal excise tax, delivery and installation, and that if the seller does not provide installation, the maximum price is \$6.00 less than the price shown on the label.

(c) For purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1: Michigan.

Zone 2: Maine, Ohio, Wisconsin, Minnesota, Iowa, Missouri, Indiana, Illinois, Kentucky, Tennessee, North Carolina, South Carolina, Virginia, West Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New

York, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, Mississippi, Alabama, Georgia, and the District of Columbia.

Zone 3: Florida, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Wyoming, Montana, Colorado and New Mexico.

Zone 4: Washington, Oregon, Idaho, California, Nevada, Utah and Arizona.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of December, 1945.

Issued this 17th day of December, 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22502; Filed, Dec. 17, 1945;  
11:44 a. m.]

[MPR 64, Order 207]

HARRY C. WEISKITTEL CO., INC.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64; *It is ordered:*

(a) This order establishes maximum prices for sales at retail of the four models of gas ranges listed below manufactured by the Harry C. Weiskittel Co., Inc. 4601 Pulaski Highway, Baltimore, Maryland. For sales in each zone by retail dealers to ultimate consumers, the maximum prices, including the Federal excise tax, but not including any state or local taxes imposed at the point of sale are those set forth below:

Model	Maximum prices for sales to ultimate consumers			
	Zone 1	Zone 2	Zone 3	Zone 4
220.....	Each \$61.25	Each \$66.95	Each \$68.75	Each \$71.50
220-I-O.....	77.50	80.25	81.95	84.75
225.....	75.95	80.25	82.95	87.50
225-I-O.....	89.25	93.50	96.25	100.75

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his maximum price by deducting \$6.00 from the maximum price shown above for his sales on an installed basis. If, at the request of the purchaser, the dealer furnishes any of the above ranges equipped for propane gas including "hi-low" gas cocks, he may add \$2.25 to the applicable ceiling price listed above for the particular stove. In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

(b) The manufacturer shall, before delivering any range covered by this order, after the effective date thereof, attach securely to the inside oven door panel a label which plainly states the OPA retail ceiling prices established by this order for sales of the range to ultimate consumers in each zone together with a list of the states included in each zone. The label shall also state that the

retail prices shown thereon include the Federal excise tax, delivery and installation, and that if the seller does not provide installation, the maximum price is \$6.00 less than the price shown on the label.

(c) For purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1: Maryland, District of Columbia, Delaware, and New Jersey.

Zone 2: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, Florida, Illinois, Indiana, Ohio, Michigan, Wisconsin, Minnesota, Iowa, and Missouri.

Zone 3: North Dakota, South Dakota, Wyoming, Nebraska, Colorado, Kansas, Oklahoma, Texas, Arkansas, and Louisiana.

Zone 4: Montana, Idaho, Utah, Arizona, New Mexico, Nevada, Washington, Oregon, and California.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of December 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22503; Filed, Dec. 17, 1945;  
11:44 a. m.]

[MPR 64, Order 208]

#### COMSTOCK-CASTLE STOVE CO.

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64; *It is ordered:*

(a) This order establishes maximum prices for sales at retail of the two models of gas ranges listed below manufactured by the Comstock-Castle Stove Company, 731 South Front Street, Quincy, Illinois. For sales in each zone by retail dealers to ultimate consumers, the maximum prices, including the Federal excise tax, but not including any state or local taxes imposed at the point of sale are those set forth below:

Model	Article	Maximum prices for sales to ultimate consumers			
		Zone 1	Zone 2	Zone 3	Zone 4
1C971R...	Bungalow...	Each \$127.50	Each \$131.50	Each \$135.75	Each \$142.25
1C941R...	Combination.	213.50	220.25	225.95	237.95

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his maximum price by deducting \$9.00 from the maximum price shown above for his sales on an installed basis. In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

(b) The manufacturer shall, before delivering any range covered by this order, after the effective date thereof, attach securely to the inside oven door panel a label which plainly states the OPA retail ceiling prices established by this order for sales of the range to ultimate consumers in each zone together with a list of the states included in each zone. The label shall also state that the retail prices shown thereon include the Federal excise tax, delivery and installation, and that if the seller does not provide installation, the maximum price is \$9.00 less than the price shown on the label.

(c) For purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1: Illinois.

Zone 2: Minnesota, Iowa, Nebraska, Kansas, Oklahoma, Missouri, Arkansas, Wisconsin, Tennessee, Mississippi, Michigan, Indiana, Kentucky, Alabama, Ohio, Georgia, New York, Pennsylvania, West Virginia, North Carolina, South Carolina, Virginia, Maryland, District of Columbia, Delaware, and New Jersey.

Zone 3: Connecticut, Massachusetts, Vermont, New Hampshire, Rhode Island, Maine, Florida, Louisiana, Texas, New Mexico, Colorado, Wyoming, South Dakota, and North Dakota.

Zone 4: Montana, Idaho, Utah, Arizona, Nevada, Oregon, Washington, and California.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of December 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22504; Filed, Dec. 17, 1945;  
11:44 a. m.]

[MPR 64, Order 209]

#### STOVE WORKS, INC.

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64; *It is ordered:*

(a) This order establishes maximum prices for sales at retail of the two models of gas ranges listed below manufactured by the Stove Works, Inc., 131 So. Union Street, Middletown, Pennsylvania. For sales in each zone by retail dealers to ultimate consumers, the maximum prices, including the Federal excise tax, but not including any state or local taxes imposed at the point of sale are those set forth below:

Model	Maximum prices for sales to ultimate consumers			
	Zone 1	Zone 2	Zone 3	Zone 4
3616.....	Each \$61.75	Each \$63.75	Each \$66.25	Each \$68.95
V-40-S.....	55.25	56.75	58.50	60.50

These prices include delivery and installation. If the retail dealer does not

provide installation, he shall compute his maximum price by deducting \$6.00 from the maximum price shown above for his sales on an installed basis. If, at the request of the purchaser, the dealer furnishes either of the above models equipped with heat control, he may add \$7.50 to the applicable ceiling price listed above for the particular stove. In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

(b) The manufacturer shall, before delivering any range covered by this order, after the effective date thereof, attach securely to the inside oven door panel a label which plainly states the OPA retail ceiling prices established by this order for sales of the range to ultimate consumers in each zone together with a list of the states included in each zone. The label shall also state that the retail prices shown thereon include the Federal excise tax, delivery and installation, and that if the seller does not provide installation, the maximum price is \$6.00 less than the price shown on the label.

(c) For purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1: Pennsylvania, New Jersey, District of Columbia, Delaware, and Maryland.

Zone 2: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Tennessee, Kentucky, West Virginia, Ohio, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa and Missouri.

Zone 3: Florida, Louisiana, Arkansas, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Wyoming and Colorado.

Zone 4: New Mexico, Arizona, Utah, Idaho, Montana, Washington, Oregon, Nevada and California.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of December 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22505; Filed, Dec. 17, 1945;  
11:45 a. m.]

[MPR 64, Order 210]

#### THE MOORE CORP.

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64; *It is ordered:*

(a) This order establishes maximum prices for sales at retail of the five models of gas ranges listed below manufactured by the Moore Corporation, 105 E. Benton Street, Joliet, Illinois. For sales in each zone by retail dealers to ultimate consumers, the maximum prices, including the Federal excise tax, but not including any state or local taxes imposed



at the point of sale are those set forth below:

Model	Article	Maximum prices for sales to ultimate consumers			
		Zone 1	Zone 2	Zone 3	Zone 4
5041	Combination	Each \$213.95	Each \$220.25	Each \$225.75	Each \$228.95
4121	do.	195.75	201.75	206.75	209.95
5241	do.	249.75	255.75	260.75	263.95
3121	Bungalow	183.75	188.95	193.25	195.75
403	Range	161.95	165.50	168.50	170.50

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his maximum price by deducting \$9.00 in the case of gas bungalow ranges or combination ranges and \$6.00 in the case of gas ranges not of the bungalow or combination type from his maximum price as shown above for sales on an installed basis. If, at the request of the purchaser, the dealer furnishes Models 5041, 4121, 5241 or 3121 equipped with high shelf, he may add \$11.25 to the applicable ceiling price listed above for the particular stove. In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

(b) The manufacturer shall, before delivering any range covered by this order, after the effective date thereof, attach securely to the inside oven door panel a label which plainly states the OPA retail ceiling prices established by this order for sales of the range to ultimate consumers in each zone together with a list of the states included in each zone. The label shall also state that the retail prices shown thereon include the Federal excise tax, delivery and installation, and that if the seller does not provide installation, the maximum price is \$9.00 less than the price shown on the label if the range is of the bungalow or combination type and \$6.00 less than the price shown on the label if the range is not the bungalow or combination type.

(c) For purposes of this order Zones 1, 2, 3, and 4 comprise the following states:

Zone 1: Illinois.

Zone 2: New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, District of Columbia, West Virginia, Virginia, Kentucky, North Carolina, South Carolina, Tennessee, Georgia, Alabama, Mississippi, Indiana, Ohio, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Nebraska, Kansas and Oklahoma.

Zone 3: Maine, Florida, North Dakota, South Dakota, Wyoming, Utah, Colorado, Texas and Louisiana.

Zone 4: Montana, Idaho, Washington, Oregon, California, Nevada, Arizona and New Mexico.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 31st day of December 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22506; Filed, Dec. 17, 1945;  
11:45 a. m.]

[MPR 188, Order 4777]

M. D. LOVE

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by M. D. Love, Emerald, Wis.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department stores	Other retailers	Consumers
Kitchen stool, steel enamel finish.	18 gauge...	Each \$1	Each \$1.20	Each \$1.33	Each \$1.98

These maximum prices are for the articles described in the manufacturer's application dated November 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$1.98 Each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 18th day of December 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22508; Filed, Dec. 17, 1945;  
11:45 a. m.]

[MPR 188, Order 4778]

STERN LOUIS CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Stern Louis Company, 121 West Wacker Drive, Chicago 1, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Chinese figurine table lamp and parchment shade.	6290 and 6261.	\$5.30	\$3.25	Each \$11.25
Colonial figurine table lamp and rayon shade.	6451 and 6452.	6.20	7.65	13.75
Colonial figurine table lamp and parchment shade.	6454 and 6453.	4.45	5.25	9.45
Hummel figurine lamp and decorated parchment shade.	6600 to 6641.	3.40	4.00	7.20
Mother Goose figurine lamp and decorated parchment shade.	6650 to 6655.	4.05	4.80	8.65
Chinese figurine table lamp and parchment shade.	61000 and 61001.	6.12	7.20	12.95

These maximum prices are for the articles described in the manufacturer's application dated November 20, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 1% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment

of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 18th day of December 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22509; Filed, Dec. 17, 1945;  
11:46 a. m.]

[MPR 188, Order 4779]

TEXTILE MACHINERY CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Textile Machinery Company, 119 42nd Street, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Wholesalers (jobbers) chain and mail order	Dropship jobbers	Department stores	Other retailers	Consumers
Baby bottle sterilizer with rack for holding 7 bottles...	Dozen 477 B	Dozen \$12.81	Dozen \$13.18	Dozen \$14.64	Dozen \$17.20	Each \$2.15

These maximum prices are for the articles described in the manufacturer's application dated November 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These

prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$2.15 Each.  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 18th day of December 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22510; Filed, Dec. 17, 1945;  
11:46 a. m.]

[MPR 580, Amdt. 2 to Order 58]

RAINFAIR INC.

#### ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Amendment 2 to Order 58. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-295.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order No. 58 is amended by adding the following:

Article	Brand name	Style name	Manufacturer's price line	Retail ceiling price
Coat.....	Rainfair.....	Zephyr.....	\$6	\$10

This amendment shall become effective December 18, 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22511; Filed, Dec. 17, 1945;  
11:46 a. m.]

[MPR 580, Amdt. 2 to Order 150]

CONGRESS SHIRT CO.

#### ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Amendment 2 to Order 156. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-265.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order 156 is amended by adding the following:

Lot No.	Manufacturer's selling price	Retail ceiling price
MEN'S "VEESLEEV" JACKET		
224V.....	\$3.75	\$6.60
BOY'S "VEESLEEV" JACKET		
224VY.....	3.25	6.60
MEN'S "VEESLEEV TAIL" JACKET		
224VT.....	4.25	7.25
MEN'S "BI-SWING" JACKET		
229B.....	4.00	6.05
MEN'S "GABARDINE" JACKET		
240DS.....	5.00	8.60
BOY'S "GABARDINE" JACKET		
240DSY.....	4.60	7.60
MEN'S "JEEP CLOTH" JACKET		
228DS.....	5.75	10.00
BOY'S "JEEP CLOTH" JACKET		
228DSY.....	4.75	8.00

This amendment shall become effective December 18, 1945.

Issued this 17th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22512; Filed, Dec. 17, 1945;  
11:46 a. m.]

[MPR 136, Amdt. 1 to Order 511]

INTERNATIONAL HARVESTER CO.

#### ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 511 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. International Harvester Company; Docket No. 6083-136.21-633.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

Order No. 511 under Revised Maximum Price Regulation 136, is amended to read as follows:

1. The schedule in paragraph (a) (1) is amended to include the following four truck models and respective list prices:

Chassis model number	Wheel-base (inches)	List price f. o. b. factory
K-1.....	113	\$600
K-1.....	125	710
K-1-M.....	162	700
K-1-M.....	113	700

2. The schedule in paragraph (b) (1) is amended to include the following four truck models and respective list prices:

Chassis model number	Wheel-base (inches)	List price f. o. b. factory
K-1	113	\$690
K-1	125	710
K-1-M	102	700
K-1-M	113	700

All requests not granted herein are denied.

This amendment may be revoked or amended by the Administrator at any time.

This amendment shall become effective December 19, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22615; Filed, Dec. 18, 1945;  
12:01 p. m.]

[2d Rev. MPR 195, Order 13]

#### INDUSTRIAL WOODEN BOXES

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 7a of 2d Revised Maximum Price Regulation 195, it is ordered:

(a) *What this order covers.* This order covers all sales of eastern egg cases and component parts when sold in sets. The maximum prices fixed by this order supersede any maximum price or pricing method previously established under 2d Revised Maximum Price Regulation 195.

(b) *Definition of "eastern egg cases and component parts."* For the purpose of this order, "eastern egg cases" refers to wooden egg cases whether sawn or veneer produced in that portion of the United States east of and including the States of Minnesota, Iowa, Nebraska, Kansas, Oklahoma, and Texas. It includes the ends with cleats attached and centers customarily produced from re-sawn lumber; and the sides, tops and bottoms customarily produced from  $\frac{3}{8}$ " veneer—although sawn sides, tops and bottoms are also included.

(c) *Maximum prices.* The maximum prices f. o. b. mill for standard 30-dozen eastern egg cases, unassembled (K. D.) are as follows:

	All cotton-wood	Other species
Complete egg case $\frac{3}{16}$ " veneer, K. D.	30 $\frac{1}{2}$ ¢ per case	29 $\frac{1}{2}$ ¢ per case.
Egg case veneer sides, tops and bottoms (sold in sets).	14¢ per set.	13 $\frac{1}{2}$ ¢ per set.
Egg case ends with cleats attached and centers.	16 $\frac{1}{2}$ ¢ per set.	16¢ per set.

(d) *Discounts and allowances.* The maximum prices set forth herein are the highest prices which can be charged by anyone except registered distributors as defined in paragraph (e) and they include all commissions, discounts, and allowances to wholesalers. The maxi-

um prices shall be reduced by all discounts or allowances customarily made by the seller for the same class of purchaser.

(e) *Distributors—(1) Registration.* A seller who desires to use the mark-ups provided by this paragraph for distributors must apply for a registration certificate to the Building Materials and Construction Price Branch of the Office of Price Administration, show that he is properly qualified, and state his March 1942 and October 1944 mark-ups, if any, together with such other information which would assist the Office of Price Administration to determine the proper price according to the formula given below. He should also indicate whether sales were on an f. o. b. or delivered basis.

A distributor is any person who purchases egg cases or component parts, stores the cases or parts in a warehouse and sells them to the local trade either in small quantities, knocked down, or assembles the cases before selling them.

The Administrator may grant or deny the application.

(2) *Maximum prices.* The maximum distributor's price for Eastern egg cases and parts shall be the sum of:

(i) Maximum f. o. b. mill price.

(ii) Inbound freight.

(iii) Weighted average dollar-and-cent addition made by the seller during October 1944 for sales of K. D. egg cases or parts provided that this addition was proper under the provisions of the regulation in effect at that time. This addition may vary for the quantity of cases sold in an order if it had been the seller's practice to use a quantity differential.

(iv) Where the distributor assembles the egg cases, he may add the same weighted average dollar-and-cent addition as he added in March 1942.

(f) *Other provisions.* The provisions of section 9 (b), 10, 11, 12, 13 and 14 (b) of the regulation shall apply to sales made under this Order.

(g) *Other items or additions not covered.* Any item or addition for an item subject to this order which is not specifically priced shall also be covered by this order. If a seller cannot determine the price for such an item or addition he must apply to the Building Materials and Construction Price Branch, Office of Price Administration, Washington 25, D. C., and give a description of the item or addition, the requested price, and his October 1944 selling price. Any requested price not disapproved within 30 days of receipt of the application shall be considered as approved. The Office of Price Administration may approve, disapprove or revise prices requested or established under this paragraph (g) so as to make them consistent with the level of prices otherwise fixed by this order.

This order shall become effective December 19, 1945.

NOTE: All record keeping and reporting requirements of this Order have been approved by the Bureau of the Budget, in accordance with Federal Reports Act of 1942.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22617; Filed, Dec. 18, 1945;  
12:02 p. m.]

[RMPR 499, Amdt. 1 to Rev. Order 4]

#### MIDO WATCHES

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to section 14 of Revised Maximum Price Regulation No. 499, it is ordered, That Revised Order No. 4 under Revised Maximum Price Regulation No. 499 be amended in the following respects:

1. The first sentence in paragraph (b) is revised to read as follows: "The maximum prices for sales by the class of purchaser listed below to the class of purchasers specified of the Mido watches identified below are as follows:"

2. The heading of the first column of figures is changed to read "Importer's Maximum Prices to Retailers" instead of "Maximum Prices to Retailers."

3. The maximum retail price of the Santa-Lucia is corrected to read "81.75" instead of "\$71.50."

4. There are added at the end of the list of Men's Watches the following two models and prices:

Style name	Importer's maximum prices to retailers	Maximum retail prices including Federal excise tax
Colgate.....	\$21.95	\$60
Rockhurst.....	\$21.95	\$60.

This amendment shall be effective December 19, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22624; Filed, Dec. 18, 1945;  
12:04 p. m.]

[MPR 594, Amdt. 1 to Order 3]

#### STUDEBAKER CORP.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 8 of Maximum Price Regulation No. 594, it is ordered:

Order No. 3 under Maximum Price Regulation No. 594 is amended in the following respects:

1. Subparagraph (2) (v) of paragraph (a) is amended to read as follows:

(v) *Transportation expense.* A charge to cover the transportation cost which the Company prepays for the domestic dealer for transporting the automobile and extra or optional equipment from the factory to the point at which delivery is made to the domestic dealer, including transportation tax at the current legal rate.

2. Subparagraph (4) of paragraph (c) is amended to read as follows:

(4) *Transportation.* A charge to cover cost, if any, of transporting the new automobile and extra or optional equipment to purchaser, including transportation tax at the current legal rate.

3. Subparagraph (5) of paragraph (d) is amended to read as follows:

(5) A charge to cover the central dealer's expense, if any, for the transportation of the new automobile and extra or optional equipment from the factory, South Bend, Indiana, to the place at which delivery is made to the direct dealer, including transportation tax.

4. Subparagraph (3) of paragraph (e) is amended to read as follows:

(3) *Transportation.* A charge to cover transportation expense which shall not exceed the rail freight charge at carload rate, by the most direct route, for the transportation of the new automobile or extra or optional equipment from South Bend, Indiana, to the receiving station nearest to the place at which delivery is made to the purchaser, plus transportation tax, except that where the new automobile or extra or optional equipment is transported by truck-away, the charge may be the truck-away charge, at truckload rate, for the most direct route from South Bend, Indiana, to the place at which delivery is made to the purchaser, plus transportation tax.

5. Paragraph (f) is amended by revising the references to "paragraph (c) or (d)" to read "paragraph (d) or (e)."

This amendment shall become effective December 19, 1945.

Issued this 18th day of December 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-22629; Filed, Dec. 18, 1945;  
12:05 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 7-824]

DELAWARE, LACKAWANNA AND WESTERN  
RAILROAD CO.

### ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of December, A. D. 1945.

In the matter of application by the New York Curb Exchange to extend unlisted trading privileges to The Delaware, Lackawanna and Western Railroad Company, Lackawanna of New Jersey Division, First Mortgage Bonds, Series A, 4% Fixed Interest, due May 1, 1993; First Mortgage Bonds, Series B, 4% Contingent Interest, due May 1, 1993; File No. 7-824.

The New York Curb Exchange, pursuant to section 12 (f) (3) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned securities;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a.m. on Wednesday, January 9, 1946, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-22605; Filed, Dec. 18, 1945;  
11:30 a. m.]

[File No. 31-415]

CENTRAL HUDSON GAS & ELECTRIC CORP.

### ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of December 1945.

The Commission having by order dated October 19, 1943, denied an application by Central Hudson Gas & Electric Corporation under section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring it not to be a subsidiary of The United Corporation, a registered holding company, the Commission having been unable to find that Central Hudson Gas & Electric Corporation's management or policies were not subject to a controlling influence by Niagara Hudson Power Corporation because of, among other things, the ownership by Niagara Hudson Power Corporation, a subsidiary of The United Corporation, of 29.72% of the voting stock of Central Hudson Gas & Electric Corporation, the furnishing of periodic reports by Central Hudson Gas & Electric Corporation to Niagara Hudson Power Corporation, and the presence on the Board of Directors of Central Hudson Gas & Electric Corporation of representatives of Niagara Hudson Power Corporation;

Central Hudson Gas & Electric Corporation having filed an application renewing its application for an order under section 2 (a) (8) declaring it not to be subsidiary of The United Corporation and having stated in such application that Niagara Hudson Power Corporation has recently disposed of all of its holdings of the stock of Central Hudson Gas & Electric Corporation and that neither Niagara Hudson Power Corporation nor The United Corporation owns, directly

or indirectly, any stock or other voting securities of the applicant, and that since March, 1941, there have been no officers or directors of the applicant who have been nominees of The United Corporation of its subsidiary, Niagara Hudson Power Corporation, and that all periodic reports by the applicant to Niagara Hudson Power Corporation have been discontinued;

It appearing to the Commission that the circumstances which gave rise to the Commission's order of October 19, 1943, denying the application of Central Hudson Gas & Electric Corporation have been changed materially and that it is appropriate in the light of the facts contained in the application of Central Hudson Gas & Electric Corporation renewing its application for an order under section 2 (a) (8) that said order of October 19, 1943, be revoked and that an order be entered granting the application of Central Hudson Gas & Electric Corporation;

It is ordered, That (a) said order of October 19, 1943, insofar as it denied Central Hudson Gas & Electric Corporation's application for an order declaring it not to be a subsidiary of The United Corporation, be, and the same hereby is, revoked, and (b) said renewed application of Central Hudson Gas & Electric Corporation for an order declaring that it is not a subsidiary of The United Corporation be, and the same hereby is, granted.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-22608; Filed, Dec. 18, 1945;  
11:30 a. m.]

[File No. 50-15]

### INTERNATIONAL HYDRO-ELECTRIC SYSTEM ORDER GRANTING APPLICATION FOR EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 14th day of December, A. D. 1945.

Whereas Bartholomew A. Brickley, as Trustee of International Hydro-Electric System, itself a registered holding company, is a registered holding company; and

Whereas the said Brickley has entered into a compromise agreement dated November 13, 1945 with International Paper Company, for the compromise and settlement of certain litigation and claims against International Paper Company and others and has filed a petition in the District Court of the United States for the District of Massachusetts for the approval of said compromise agreement, which petition is set for a hearing in Boston on December 17, 1945; and

Whereas said compromise agreement provides that the said Brickley shall enter into an agreement to exonerate, indemnify and hold harmless International Paper Company and others against claims which might be asserted by Gatlneau Power Company, a subsidiary company of International Hydro-Electric System, or Canadian Hydro-Electric Corporation, Ltd., a predecessor of said

Gatineau Power Company, against International Paper Company and others, with the provision that, if a release from Gatineau Power Company of International Paper Company and others, in the form prescribed in said compromise agreement, be furnished by Brickley to International Paper Company, then and in such event the agreement of Indemnity referred to above need not be furnished; and

Whereas Brickley has filed an application with this Commission, pursuant to Rule U-100 promulgated under the Public Utility Holding Company Act of 1935 for exemption from the provisions of Rule U-45 thereunder, with respect to the execution by him of such indemnity agreement, or in lieu thereof, with respect to the payment by him to Gatineau Power Company of the sum of \$100,000 in consideration of the execution by Gatineau Power Company of the release described above; and

Whereas all of the foregoing transactions are subject to the approval of the District Court of the United States for the District of Massachusetts; and

Whereas the Commission has considered said application and, being fully advised in the premises, has found that the requirements of Rule U-45, as applied to the foregoing transactions, are not necessary or appropriate in the public interest or for the protection of investors or consumers;

*It is ordered*, Pursuant to Rule U-100 that Brickley be, and he hereby is, exempted from the provisions of Rule U-45 insofar as such provisions are applicable to the transactions described above.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-22607; Filed, Dec. 18, 1945;  
11:30 a. m.]

[File Nos. 54-140, 54-65, 59-6]

UNITED GAS IMPROVEMENT CO. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING  
ON PLAN AND ORDER CONSOLIDATING PRO-  
CEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of December 1945.

In the matter of The United Gas Improvement Company, File Nos. 54-140; 54-65; The United Gas Improvement Company and Subsidiary Companies, respondents, File No. 59-6.

Notice is hereby given that The United Gas Improvement Company (UGI), a registered holding company and a subsidiary of The United Corporation, also a registered holding company, has filed an application for approval of a plan under section 11 (e) of the Public Utility Holding Company Act of 1935 proposing action described as necessary to effectuate the provisions of section 11 (b) of the act and for the approval of incidental and related transactions.

All interested persons are referred to said plan, which is on file in the offices of the Commission, for a full statement

of the transactions therein proposed, which may be summarized as follows:

(1) UGI proposes to offer to exchange for each unit of ten shares of its outstanding capital stock, up to and including 750,000 shares of such stock, the following securities:

1 share of Common Stock of American Water Works and Electric Company, Incorporated,

12 shares of Common Stock of The Commonwealth & Southern Corporation,

10 shares of Common Stock of Niagara Hudson Power Corporation,

1 share of 5% Cumulative Second Preferred Stock, Series A, of Niagara Hudson Power Corporation,

1 share of Common Stock of Public Service Corporation of New Jersey;

(2) The offer is proposed to be made only to stockholders who tender UGI stock in units of ten shares or multiples thereof and is limited to 750,000 shares of a total of 2,325,200 shares of UGI capital stock outstanding. In the event that more than 750,000 shares of capital stock are tendered for exchange, a pro rata distribution of the securities will be made upon the basis of the number of units of the capital stock tendered. However, UGI proposes to accept for exchange at least one unit of its capital stock in all cases where stockholders have tendered one or more such units of ten shares for exchange;

(3) Acceptance of the offer of exchange may be made only by delivery of certificates to UGI representing the number of UGI shares tendered, accompanied by the "Form of Acceptance" of the offer of exchange prescribed by UGI;

(4) UGI states that it presently owns sufficient shares of stock of the above-named companies to accomplish the proposed exchange, except that in the case of the Common Stock of American Water Works and Electric Company, Incorporated, it proposes to acquire a maximum of 12,000 additional shares as may be needed for exchange purposes. UGI proposes that such shares would be purchased from The United Corporation at the average daily sales price (bid price if no sale has been made) on the New York Stock Exchange for a period of four market days immediately preceding approval of the plan by this Commission.

The Commission being required by the provisions of section 11 (e) of the act, before approving any plan submitted thereunder, to find after notice and opportunity for hearing that such plan, as submitted or as modified, is necessary to effectuate the provisions of subsection (b) of section 11, and is fair and equitable to the persons affected by such plan; and it appearing appropriate in the public interest and in the interests of investors and consumers that notice be given and a hearing be held with respect to said plan;

It appearing to the Commission that some of the evidence in the consolidated proceedings under sections 11 (b) (1) and 11 (e) of the act with respect to UGI and its subsidiaries (File Nos. 59-6 and 54-65) is or may be relevant to the issues presented by the proposed plan and that the prior proceedings and the proceedings in respect of the proposed plan may involve common questions of law and fact and should be consolidated;

*It is ordered*, That the consolidated proceedings under File Nos. 59-6 and 54-65 and the proceeding with respect to the instant application be, and the same hereby are, consolidated, without prejudice, however, to the Commission's right, upon its own motion or the motion of any interested party, to strike such portions of the record of the prior proceedings as may be deemed irrelevant to the issues raised with respect to the pending plan.

*It is further ordered*, That a hearing under the applicable provisions of the act and the rules thereunder be held at 10 a. m., e. s. t., on the 15th day of January 1946, in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318.

*It is further ordered*, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's Rules of Practice.

*It is further ordered*, That notice of said hearing be given to UGI and to The United Corporation by mailing a copy of this notice and order by registered mail, and that notice be given to all other persons by a general release of the Commission distributed to the press and mailed to the mailing list for releases under the act, and by publication of this notice and order in the FEDERAL REGISTER.

*It is further ordered*, That UGI shall give appropriate notice of this hearing, the form thereof to be submitted to this Commission prior to mailing, to all of the holders of its capital stock (insofar as the identity of such holders is known or available to UGI) at least fifteen days prior to January 15, 1946.

*It is further ordered*, That any person desiring to be heard or otherwise wishing to participate in these proceedings shall notify the Commission on or before January 10, 1946, in the manner provided by Rule XVII of the Commission's rules of practice.

*It is further ordered*, That, without limiting the scope of the issues presented by said plan, as submitted or as modified, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed plan, as submitted or as modified, is necessary to effectuate the provisions of section 11 (b) of the Act;

(2) Whether the proposed plan, as submitted or as modified, is fair and equitable to the persons affected thereby;

(3) Whether the transactions proposed in said plan comply with all the requirements of the applicable provisions of the act and the rules promulgated thereunder;

(4) Whether the plan should be modified to include a provision for the payment of such fees, expenses and remuneration in connection with the pro-



posed plan as the Commission may determine, award, allow or allocate;

(5) Whether, and to what extent, the proposed plan should be modified or terms and conditions imposed to ensure adequate protection of the public interest and the interests of investors and consumers and compliance with all applicable provisions of the act.

*It is further ordered*, That jurisdiction be reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings or to consolidate with these proceedings other filings or matters pertaining to the subject matter of these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-22608; Filed, Dec. 18, 1945;  
11:30 a. m.]

[File No. 70-1063]

NY PA NJ UTILITIES CO. ET AL.

ORDER PERMITTING POST-EFFECTIVE AMENDMENT TO DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of December 1945.

In the matter of NY PA NJ Utilities Company, and Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, File No. 70-1063.

Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation ("Agecorp"), a registered holding company, and NY PA NJ Utilities Company ("NY PA NJ"), a registered holding company and a subsidiary of Agecorp, having heretofore jointly filed declarations, as amended, pursuant to the Public Utility Holding Company Act of 1935 ("Act") with respect to, among other things, the restatement of the carrying amounts of certain of the investments of NY PA NJ and the creation of a reserve, in the absence of a revaluation of assets, against the carrying amounts for its investments in the common stocks of its majority-owned subsidiaries; and

The Commission having, on August 8, 1945, entered its findings and opinion and order (Holding Company Act Release No. 5975) permitting said declarations, as

amended, to become effective, and wherein it was noted that no adjustment was then proposed to be made to NY PA NJ's investment in \$474,000 principal amount of the 8% bonds due 1940 of Agecorp which was carried by NY PA NJ on its books at \$483,480, and which declarants contemplated were to be delivered to Agecorp, without consideration, prior to or in connection with consummation of the plan for the reorganization under section 11 (f) of the act and Chapter X of the Bankruptcy Act, of Agecorp and Associated Gas and Electric Company ("Ageco") and that such transaction would require our approval in an appropriate proceeding under the act; and

A post-effective amendment to said declarations, as amended, pursuant to sections 12 (c) and 12 (f) of the act and Rules U-42 and U-46 promulgated thereunder, having now been filed wherein it is proposed that NY PA NJ declare out of capital surplus a dividend on its common stock in the amount of \$483,480, payable by delivery to its sole stockholder, the Trustees of Agecorp, of the \$474,000 principal amount of Agecorp 8% bonds due 1940, and that such transaction be effected simultaneously with the consummation of the plan of reorganization of Agecorp and Ageco, in connection with which all of the funded debt of Agecorp, including the \$474,000 principal amount of its 8% bonds due 1940, will be eliminated; and

The Commission having considered such post-effective amendment to the declarations and observing no basis for adverse findings as to such proposal:

*It is hereby ordered*, That said post-effective amendment to said declarations be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-22609; Filed, Dec. 18, 1945;  
11:30 a. m.]

[File No. 70-1175]

AMERICAN UTILITIES SERVICE CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 14th day of December 1945.

American Utilities Service Corporation, a registered holding company, hav-

ing filed a declaration, and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, proposing to sell to H. K. Harley and R. M. Haydon of Madison, Wisconsin, all (3,000 shares, par value \$100 per share) of the issued and outstanding common stock of its subsidiary, Wisconsin Southern Gas Company, a gas utility company, together with the unsecured 6% income note of Wisconsin, dated February 1, 1940 and due February 1, 1950, in the principal amount of \$150,000, for an aggregate cash consideration of \$410,000; American Utilities Service Corporation proposing to deliver \$150,000 of the proceeds to Harris Trust and Savings Bank, Chicago, Illinois, in accordance with the terms of its secured 2 1/4% note due 1950 presently held by said bank in the principal amount of \$2,000,000; and

American Utilities Service Corporation having requested that the Commission enter an order finding that the proposed sale is necessary or appropriate to effectuate the provisions of section 11 (b) of the act and that such order conform to the requirements of sections 371 (b), 371 (e) and 1808 (f) of the Internal Revenue Code, as amended; and

A public hearing having been held upon said declaration, as amended, after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein:

*It is ordered*, That the aforesaid declaration, as amended, of American Utilities Service Corporation be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

*It is further ordered and recited*, That the sale and transfer by American Utilities Service Corporation of all of the securities of its subsidiary, Wisconsin Southern Gas Company, a Wisconsin corporation, consisting of 3,000 shares of common stock, par value \$100 per share, and an unsecured 6% income note of that company, dated February 1, 1940, due February 1, 1950, in the principal amount of \$150,000, for the sum of \$410,000 in cash, is necessary or appropriate to the integration or simplification of the holding company system of American Utilities Service Corporation and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-22610; Filed, Dec. 18, 1945;  
11:30 a. m.]